JENNIFER M. GRANHOLM GOVERNOR KEITH W. COOLEY DIRECTOR

MANUFACTURED HOUSING COMMISSION DEPARTMENT OF LABOR AND ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES 2501 Woodlake Circle, Conference Room #3 Okemos, Michigan

TENTATIVE AGENDA

August 15, 2007 10:00 a.m.

- 1. Call to Order and Determination of Quorum
- 2. Approval of Tentative Agenda (pages 1-2)
- 3. Approval of Minutes June 20, 2007 (pages 123-146)
- 4. Manufactured Housing Commission Fees Financial Report FY 2007 3rd Quarter (page 3)
- Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]
- 6. Imposition of Penalties

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

Providing for Michigan's Safety in the Built Environment

7. Variances

- a. Raisin Ridge Manufactured Home Community (Monroe County) (pages 4-24)
- b. Spring Valley Mobile Home Park (Kent County) (pages 25-98)
- c. Waters Edge Manufactured Home Community (Lenawee County) (pages 99-106)
- d. Williamsburg Village Manufactured Home Community (Bay County) (pages 107-120)
- 8. Committee Reports
- 9. Old Business
- 10. New Business
 - a. Report on Annual Inspections of Manufactured Home Communities
 - b. License Approval (page 121)
 - c. Proposed 2008 Meeting Schedule (page 122)
- 11. Executive Director's Report
- 12. Other Business
- 13. Adjournment

Mobile Home Code Fund Revenue/Expenditure Report FY 2007 - 3rd Quarter

Program Revenue		Program Expenditures		
Licenses	\$ 36,935	Salaries	\$	418,038
Permits	\$ 1,171	Ret., Longev. & Ins.	\$	243,272
Titles	\$ 631,640	CSS&M & Equipment	\$	26,309
Other:	\$ -	Travel	\$	1,598
Publication & Copy Revenue	\$ 115	Sub-Total Direct Expenditures	\$	689,217
Land Sales-App. for Registration	\$ -	•	•	,
HUD Reimb. of Insp. Costs	\$ 4,617	Indirect Dept. Expenditures:		
Mfrd. Housing Commission Fines	\$ 6,110	Administrative Hrgs. & Rules	\$	_
Common Cash Interest	\$ 9,963	Rent	\$	21,651
RED-DCS 1%	\$ · <u>-</u>	Property Management	\$	6,313
RED-Dept of State	\$ (69,685)	Executive Director Programs	\$	22
RED-AG	\$ 	Administrative Services	\$	82
TOTAL REVENUE	\$ 620,866	TOTAL EXPENDITURES	\$	717,285



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

June 4, 2007

TO:

Manufactured Housing Commission

FROM:

Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT:

REQUEST FOR VARIANCE: Lots 319-404 (86 sites)

RAISIN RIDGE (RR) (MONROE CO.)

R125.1905 (5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

Attached is a variance submission from Mr. John Fiero of Boss Engineering, on behalf of operator Ronald Blank. RR requests that the Commission allow it to construct 86 remaining sites under a third extension of its expiring (9/18/07) Permit to Construct (PTC) and seeks a variance to the 10-year renewal limitation established in the latter rule above. RR desires a five -year extension through September 2012.

Mr. Fiero attributes RR's failure to finish construction under previous permits to Michigan's economy and justifies this request by contending that most construction and infrastructure is completed. An attached May 5, 2007, Raisinville Township letter supports the variance request. Permit to Construct PC-913-R-1 was first issued in 1997 and renewed in 2002. The lapse of the PTC necessitates a third variance to satisfy the applicant's projected completion date of 2012. Under the 10-year clause of Rule 905(5), the PTC, originally issued in 1997, is not automatically renewable through that date.

Manufactured Housing Commission: Raisin Ridge June 4, 2007 Page Two

Diagrams and color photos of the development have been solicited for your review.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rules 920(1) (c) and 920(2), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to revise his construction plans. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the revised rules that became effective on 8/1/03 is a related question the applicant wants you to decide.

Finally, whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rule 905(5), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to expedite construction to satisfy a sooner deadline. In any event, if the Commission is convinced by RR's justification, there may be grounds for approving this variance, or a modified version with a shorter timeline between now and September 2012.

KGD/kgd

Attachment

cc: Bill DeTemple, OLGCS (w attach.)
Irvin Poke, BCC, Plan Review (w attach.)
Mark Sisco, Admin. (w attach.)



May 29, 2007

Kevin DeGroat
Michigan Department of Labor and Economic Growth
Bureau of Construction Codes
Office of Local Government and Consumer Services
P.O. Box 30222
Lansing, Michigan 48909

Re: Raisin Ridge Manufactured Home Community, Raisinville Township, Monroe County

Dear Mr. DeGroat,

On behalf of the Raisin Ridge Manufactured Home Community we are requesting to be placed on the agenda for the next Manufactured Housing Commission meeting.

Raisin Ridge was originally issued a construction permit in 1997. That permit was renewed as PC-913-R1 in 2002. The renewed permit is about to expire and Raisin Ridge has not yet completed construction of the community. At present 318 of the 404 authorized sites have been completed and licensed. Raisin Ridge approached the department for an extension of the permit but was advised that the Commissions' rules do not allow further extension of the permit. On behalf of Raisin Ridge we are requesting a variance from that rule.

Please note the following provisions of the statute and rules.

Section 13 of the Act provides that a person shall not construct without a permit.

 Rule 905(5) of the Commissions' rules provides that a permit shall be valid for 5 years and may, upon application, review of the previously approved plans, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after permit was issued.

Section 18 of the Act provides that the Commission may grant a variance to a rule

promulgated under the Act.

Raisin Ridge is hereby requesting a variance from Rule 905(5) and specifically from the provision of the rule requiring that the last renewal of a permit not expire more than 10 years after the original permit was issued. Raisin Ridge is requesting renewal of the permit for an additional period of five years which would extend the renewal period to 15 years after the date of the original permit.

In support of the proposed variance we offer the following:

- Provisions of the act require that a person seeking a variance notify the local unit of government. In accordance with that requirement, Raisin Ridge contacted Raisinville Township. A copy of a May 5, 2007 letter from the township is attached. Please note the township's recommendation that the Raisin Ridge permit be extended for an additional five years.
- The Mobile Home Commission Act does not impose any limit on the term of a permit.
 The provision in the administrative rules which limits the term of a permit is within the commission's authority.
- The Raisin Ridge community is a sound, vibrant, successful development providing a quality lifestyle opportunity and a significant benefit to the community. Only the Michigan economy has limited the rate of build out of the community. The project remains viable and the owner projects that completion of the final 86 sites can be successfully completed within the next five years.
- Significant portions of the construction have already completed. Much of the infrastructure is already in place.
- The originally approved construction plans remain viable. Design standards have not significantly changed since development of the original plans.

We request that this matter be placed on the commissions' agenda as soon as possible.

Please contact me if we can be of any further assistance. We appreciate your consideration.

Sincerely,

BOSS ENGINEERING COMPANY

პისი/Fiero, P.E.

Senior Project Coordinator

Cc: Franklin Homes Raisin Ridge

Building Inspector Charles LaPointe 734-269-3114



RAISINVILLE TOWNSHIP HALL

96 Ida-Maybee Road Monroe, Michigan 48161 Phone-734-269-2506 Fax-734-269-3227



Assessor Chris Renius 734-269-3901

Gerald Blanchette SUPERVISOR 4360 Bluebush Road Monroe, MI 48162 734-243-1173

Janet Kuehnlein CLERK 4499 Stadler Road Monroe, MI 48162 734-243-0947 Fax# 734-243-5748

Rosemarie Meyer TREASURER 4879 Stewart Road Monroe, MI 48162 734-242-2861

Keith Henderson TRUSTEE 3850 Gruber Road Monroe, MI 48162 734-457-5021

Robert Oberski TRUSTEE 7760 W Dunbar Road Ida. MI 48140 734-269-2203

May 5, 2007

State of Michigan
Department of Labor and Economic Growth
Bureau of Construction Codes
Manufactured Housing Division
PO Box 30254
Lansing, MI 48909

RE:

Raisin Ridge Manufactured Home Community Raisinville Township, Monroe County

Permit No. PC-913-R1

Dear Manufactured Housing Commissioners:

It has come to my attention that the current permit to construct for Raisin Ridge will expire September 18, 2007. Currently Raisin Ridge is licensed for 318 sites with a total of 404 upon completion.

Raisin Ridge, the Franklin Companies, and Ronald Blank have been responsible members of our community. We have enjoyed our relationship and look forward to its continuance.

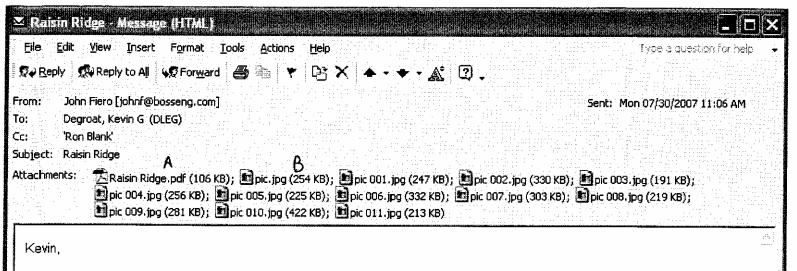
Please accept this letter as my recommendation that the permit to construct be extended for an additional 5 years to allow this development to be completed.

If you have any questions please do not hesitate to contact me.

Sincerely,

erry Blanchette

Raisinville Township Supervisor



Attached are a site plan and several photographs of Raisin Ridge. These are in support of our proposed variance that is on the August 15 Commission agenda. I will also be presenting a brief narrative to the Commission; I will bring copies of that document for distribution on the 15th.

We appreciate your help on this; please contact me if you need any further information or if you have any questions or concerns on the attachments.

Thank you,

John Fiero 517.546.4836

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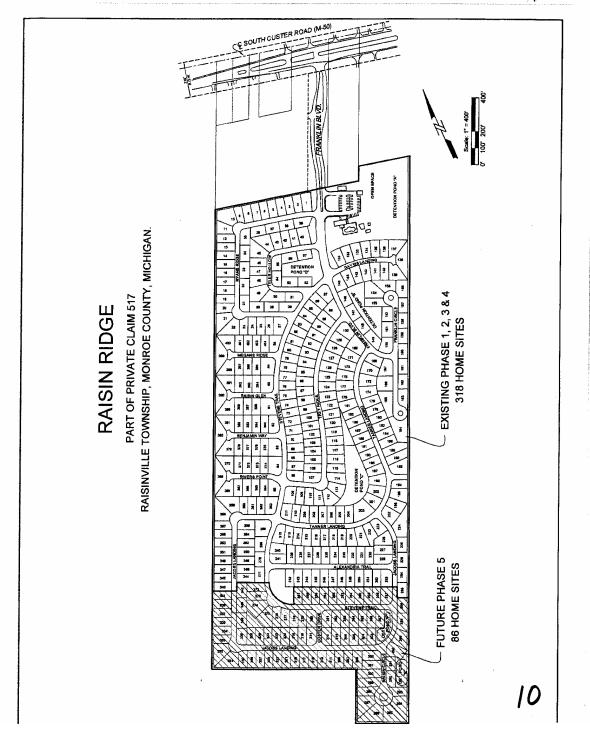


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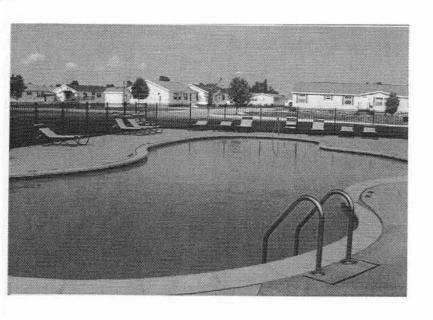






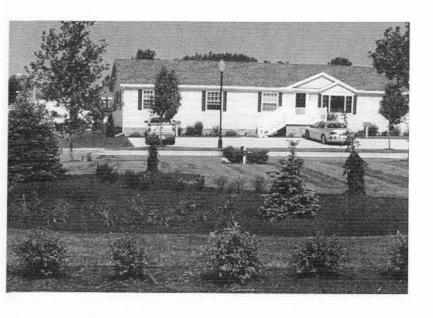


























RULE 905

- (a) Copies of all existing and proposed easements or dedications, if any. If easements or dedications do not exist, then the developer shall submit a statement to that effect with the application.
- (b) A soils analysis, which shall be provided by a professional engineer, shall state that the soils are sufficiently stable so as to support the home and the permanent foundation.
- (c) Evidence of title to the property, such as title insurance, a deed, a land contract, an owner's affidavit, or, if the property is not owned by the developer, the owner's affidavit attesting to ownership and the granting of permission to develop the community project. If the developer has an option to purchase the property or is leasing the property, then the developer shall submit a copy of the purchase option or leasing agreement.
- (3) Before the department issues a plans approval and permit to construct, the Michigan department of environmental quality shall issue to the department a construction plan approval pertaining to the public health aspects of the construction under sections 6(1) and 11(7) of the act, including all of the following approvals:
- (a) Preliminary approvals of the local health department, county road commission, county drain commissioner, and municipality or an affidavit from the developer which states that the statutory time limit of 60 days, under section 11(5) of the act, has expired without the unit of local government taking the appropriate action.
- (b) Approval from the department of environmental quality, in compliance with the requirements of 1994 PA 451, MCL 324.101 et seq. if the project lies in a floodplain.
- (c) Approval from the department of environmental quality, in compliance with the requirements of 1979 PA 203, MCL 281.701 et seq. if the project lies in a wetlands area.
- (4) The department shall issue a plans approval and permit to construct or intent to deny order within 90 days after receipt of a complete application or the plans are considered approved. The application shall be in compliance with the requirements in subrules (1), (2), and (3) of this rule.
- (5) A plans approval and permit to construct shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plans approval and permit to construct was issued.
- (6) A permit to construct is transferable upon approval by the department.
- (7) The department shall maintain the plans approval and permit to construct and a copy of the approved plans and specifications as a permanent record. A copy of the approved plans and specifications shall be at the construction site or readily available during construction.

R 125.1906 Construction plans; drawings; preparation and contents.

Rule 906. An architect or engineer who is licensed to practice in this state shall prepare the drawings that constitute the plans. More than 1 architect or engineer licensed in this state may prepare different segments of the same community construction plans. Submissions for review shall be 24-inch by 36-inch reproductions of original drawings. Each sheet shall contain the name of the community and the name and address of the firm responsible for the preparation of the sheet. Each sheet shall bear a seal and signature of the individual responsible for the preparation of the sheet.

R 125.1907 Construction plans; preparation requirements.

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R 125.1948 Variances; procedure.

Rule 948. (1) The commission may authorize under section 18(5) of the act the department to enter into agreements with community developers, owners, operators, or authorized agents for the purpose of granting a variance to the community design and construction rules promulgated by the director.

- (2) An applicant may file a request with the department for a specific variance if the specific requirement would cause an exceptional practical difficulty.
- (3) An applicant shall file with the municipal clerk's office, all residents on home sites immediately adjacent to the place for which a variance is being requested, and the Michigan department of environmental quality, if the variance is to or would impact on public health regulations, a notice of the request at the time the request is filed with the department. A complete request that contains all of the information specified in this subrule shall be filed before the department considers the request under subrule (1) of this rule or not less than 30 days before any commission meeting at which it is to be considered. The request shall be in writing and shall include, but is not limited to, all of the following information:
- (a) The specific citation of the rule requirement.
- (b) Specific reason or reasons for the variance.
- (c) A statement describing why the condition caused by the requirement is not so general or recurring that consideration should be given to amend the rules as the most practical means to rectify the difficulty.
- (d) A statement describing the difficulty encountered if the specific requirement of the rule was literally applied.
- (e) A statement describing the difficulty encountered in ensuring the protection of the health, safety, and welfare of community residents if the specific requirement of the act or these rules was literally applied, if applicable.
- (f) If a variance is requested for a specific home site, then the applicant shall provide all the following information:
- (i) When the home site and all adjacent home sites were built.
- (ii) When the home on the home site and all adjacent homes were installed.
- (iii) The location of the hitch and all outside doors of the home on the home site.
- (iv) The distance between the home on the home site and all adjacent homes, structures, sidewalks, internal roads, and community boundaries. The distance information shall be accompanied by an affidavit signed by the community owner or operator verifying the accuracy of all measurements.
- (g) Any other specific information and data pertinent to justification for the specific variance.
- (4) The applicant or an authorized representative of the applicant shall attend any commission meeting at which a variance request will be considered and be prepared to explain the request.
- (5) A municipality, a resident, or a representative of the department of environmental quality, as described in subrule (3) of this rule, may submit comments relative to the request verbally at the commission meeting at which the variance will be considered or in writing. Any submitted comments shall be considered by the commission or the department in approving or denying the request.





JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

June 8, 2007

TO:

Manufactured Housing Commission

FROM:

Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT:

REQUEST FOR VARIANCES

SPRING VALLEY MOBILE HOME PARK [SV]

(KENT CO.)

R125.1947a, Rule 947a. Requires communities to be maintained to the standards effective when constructed; requires communities permitted to construct before 2/28/79 to maintain a four-foot wide ground-level, unobstructed seven-foot high pathway.

Attached are 14 distance reduction variance requests and accompanying documentation from Mr. Jeffrey Shanbom, attorney for Randall Shaw, operator of SV, a pre-Mobile Home Commission Act community built between 1951 and 1967. As shown in the appended illustrations and photos, SV wants the Commission to sanction the following four-foot pathway violations of vintage neighboring homes and structures discovered in a staff inspection of the following lot addresses:

SITE	EXISTING DISTANCE	<u>DISTANCE SHORTAGE</u>
1. 6466 Bodie	17"	31"
2. 6512 "	3' to 3'6"	1' to 6"
3. 6434 "	33" to 3'10"	15" to 2"
4. 6480 Millis	< 4'	?
5. 6486 "	3'	1'
6. 6432 "	2'	2'
7. 6515 Livingood	3'	1,
8. 6511 "	3'	1'
9. 6509 "	2'6"	1'6"
10. 6501 "	enclosed by fence	no access
11. lot 15	enclosed by fence	no access
12. 6469 Livingood	1'	3'
13. 6460 "	< 4'	?
14. 6403 Bodie	3'5"	7"

Providing for Michigan's Safety in the Built Environment

Memorandum: Spring Valley Mobile Home Park

June 8, 2007 Page Two

SV's justification letter indicates that SV should be exempted from the pathway requirements referenced above because the violations were not uncovered in previous annual inspections, they have existed for at least 10 years and to preserve "the charm and personality" existing (though obstructing) trees provide for the park.

The justification does not allude to the effect relocation would have on the structural integrity of the homes in this community or cite cost-prohibitive reconstruction as a drawback, if moving these homes is employed to eliminate or reduce setback shortfalls. In previous reviews, the Commission has favorably considered local fire department views on reduced setbacks. No fire department letter is offered in justification and street parking appears to be the norm. The extent to which street parking would be an added impediment to emergency personnel access is not addressed.

Whether the filings listed on the next pages demonstrate an exceptional practical difficulty to compliance and, therefore, supports the need for variances under the criteria of Rule 948, hinges upon whether the Commission believes the Rule's intent regarding exceptional practical difficulty would include removing greenery or relocating, repositioning, or eliminating structurally fragile manufactured homes and their attachments. If the Commission is persuaded that all or some of these homes and structures may remain as located, there may be grounds for approving many of these requests with the condition that SV complies with the four-foot pathway standards when homes or their structures on the lots proposed for variance are removed. However, the Commission has not, in past reviews, generally deviated from the four-foot "pathway principle" established in Rule 947a.

Attachments

KGD/kgd

cc:

Bill DeTemple, OLGCS Irvin Poke, BCC, Plan Review Mark Sisco, BCC, Administration

JEFFREY M. SHANBOM, ESQ. 2350 Franklin Road Suite 140 Bloomfield Hills, MI 48302

Phone (248) 514-2451 Fax (248) 451-9566

May 23, 2007

Mr. Kevin G. DeGroat, Analyst Office of Local Government & Consumer Services P.O. Box 30254 Lansing, MI 48909

Re:

Complaint No. AIR 07-0269

Spring Valley Mobile Home Park, L.L.C.

Dear Mr. DeGroat:

Enclosed please find the documentation necessary for our application for a variance to the Manufactured Housing Commission Act and Code, specifically, Rule 947a(4).

We would request that this matter be placed on the agenda for the August 15, 2007 meeting.

Thank you for your cooperation in working with my client as they continue this project. If you need any further information, please call.

Jeffrey M. Shanbom

SPRING VALLEY

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COMPLAINT

facsimile

TRANSMITTAL

to:

Ms. Lori Glassford

怎么 #

248-451-9586

re:

Complaint No. AIR 07-0269; BCC v. Spring Valley MHP, LLC

date:

3/21/07

pages:

4, including this cover sheet

Attached is the inspection report we discussed. Please correct, or request variances for the violations by 4/9/07. Photographs (prints or digital) and/or work orders confirming correction will suffice. If you have any questions, feel free to contact me.

From the desk of...

Kevin G. DeGroat

Office of Local Government and Consumer Services

Michigan Bureau of Construction Codes

2501 Woodlake Circle, Okemos, MI 48823

phone: (517) 241-9347

fax: (517) 241-9308

(kgdegro@michigan.gov)

Mailing address:

P.O. Box 30254

Lansing, Michigan 48909



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

ROBERT W. SWANSON DIRECTOR

February 6, 2007

Mr. Randall L. Shaw 350 Pine Ridge Drive Bloomfield Hills, Michigan 48304

RE:

Complaint No. AIR 07-0269

Spring Valley Mobile Home Park, L.L.C. (Kent Co.)

License No. P000707

Dear Mr. Shaw:

Enclosed is a copy of the Manufactured Housing Community Annual Inspection Report Addendum. The inspection revealed violation of rules that were promulgated under the Mobile Home Commission Act (Act 96, Public Acts of 1987, as amended).

Please correct the violations noted in the "NO" column of the report and submit verification to our office that the violations have been corrected no later than March 6, 2006. Acceptable verification would be photographs and/or signed and dated work orders with written documentation of the action(s) taken.

if you have previously submitted verification to the Department of Environmental Quality or the local health department, you will need to forward a copy of the information to our agency as directed above.

If you have any questions, contact me at (517) 241-9347. When communicating with our office regarding this matter, please reference the complaint number above.

I appreciate your cooperation.

Sincerely,

Kevin G. DeGroat, Analyst

Office of Local Government & Consumer Services

KGD/kad

Enclosure

Manufactured Home Community Annual Inspection Report

Michigan Department of Labor & Economic Growth Bureau of Construction Codes **Building Division** P.O. Box 30254, Lansing, MI 48909

517-241-9317

NAME OF MANUFACTURED HOME COMMUNITY	COUNTY	LICENSED SITES	COMMUNITY LICE	NSE NO.
SPRING VALLEY MOBILE HOME PARK L.L.C.	Kent	69	P000707	
COMMUNITY ADDRESS	CITY		ZIP CODE	
6460 NORTHLAND DRIVE N.E.	ROCKFORD		49341	
NAME OF COMMUNITY REPRESENTATIVE RANDALL L. SHAW	REPRESENTATIVE'S TELEPHONE NUMBER (Include Area Code) 248-931-1151		DATE OF INSPECTION	
Place a check mode in the annual total to the				COMPLIES

Plac	e a check mark in the ap	propriate box. Checking "YES" indicates compliance with the rules.	YES	
1.	Rule 701(1)	Speed limit signs (maximum 15 mph) are posted on internal roads.	7	T
2.	Rule 701(2)	There are regulation stop signs at intersections of community egress roads and public roads.	~	-
3.	Rule 701(3)	Internal roads are identified by street signs at all intersections.	7	-
4.	Rule 701(4)	There are "Children Playing" signs located on all internal roads adjacent to recreational and playground areas.	7	
5 .	Rule 705(1)	Playground, recreational and athletic areas are free of safety hazards.	1	
6.	Rule 708(1)	All parts of community owned buildings, structures and electrical systems (excluding pedestals) are in good repair.	V	
7.	Rule 709	Community roads, walkways and driveways are maintained in a sound condition.		
8.	Rule 710(1)	Disconnected fuel lines on vacant sites are locked off or plugged to prevent leakage.	V	
9.	Rule 710(2)	Disconnected electrical service lines on vacant sites removed from sites and site circuit breaker master switches are off or master fuses removed.	2	
10.	Rule 710(2)	Circuit breaker or fuse box protective covers on vacant sites are secured.	7	
1.	Rule 947a(4)	There are 4 foot wide (not necessarily straight) pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet. (For communities issued a permit to construct prior to February 28, 1979)		7
2.	Rule 41, 47, 48 & 49	Drainage: Street drainage adequate, lot drainage adequate.	7	
3.	Rule 51 & 53	Garbage and Rubbish: Storage/disposal, maintenance of area, dumpster (suitable foundation).	7	
4.	Rule 61 & 63	There is no evidence of an insect and rodent control problem.	7	
5.	Rule 71, 72 & 73	General Operation, maintenance and safety: No health or safety hazards, animal control.	7	

Substantial Compliance Not in Substantial Compliance - Follow-up Insp Not in Substantial Compliance and Denial of C	pection Recommended	
Comments: (Use this space for additional details () 708.1 not zure which open somer ris	such as locations) relating to violations listed above) buildings are commun. en on vacant lat H. of 6	Ky 6474 Bodie
SIGNATURE OF COMMUNITY REPRESENTATIVE	TELEPHONE NUMBER (Include Area Code)	DATE
SIGNATURE OF INSPECTOR	TELEPHONE NUMBER (Include Area Code)	DATE (-0')

The Bureau of Construction Codes will follow-up any potential violations.

AHM WOLTHLAZ Or.

White secont lot N. of 6474 Bodie open Somer openin

6466,6475,6483,6497,6500,6512,6529,6403, unit s. of 6434

6480, 6474, 6476, 6426, 6422

11/1/12 9009 4 Mpe 6515,6511,6509,6505,6501, 18t 15, 12,6469 2nd unit in an 18ft by Non Entrance LETTERS

JEFFREY M. SHANBOM, ESQ. 2350 Franklin Road Suite 140 Bloomfield Hills, MI 48302 Phone (248) 514-2451 Fax (248) 451-9566

May 23, 2007

Plainfield Charter Township Clerk 6161 Belmont Ave, NE Belmont, MI 49306-9609

Re: Spring Valley Mobile Home Park

Dear Clerk:

This is to inform you that we are making application to the manufactured housing commission for a variance from Rule 947a(4) regarding 4 foot wide pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet.

Thank you for your cooperation in working with my client as they continue this project. If you need any further information, please call.

Very truly yours

Jeffrey M. Shanbom

JEFFREY M. SHANBOM, ESQ. 2350 Franklin Road Suite 140 Bloomfield Hills, MI 48302 Phone (248) 514-2451 Fax (248) 451-9566

May 23, 2007

The City of Rockford 7 South Monroe Street Rockford, Michigan 49341

Re: Spring Valley Mobile Home Park

Dear City of Rockford Clerk:

This is to inform you that we are making application to the manufactured housing commission for a variance from Rule 947a(4) regarding 4 foot wide pathways running the length of the side yards between homes from the back "lot line" to the internal road which are free of all obstacles to a minimum height of 7 feet.

Thank you for your cooperation in working with my client as they continue this project. If you need any further information, please call.

Very truly yours,

Jeffrey M. Shanbom

SPRING VALLEY MOBILE HOME PARK 2350 Franklin Road Suite 140 Bloomfield Hills, MI 48302

May 23, 2007	
Dear Residents:	
This is to inform you that we have applied for a variance that is necessary due to t spacing between certain homes being slightly less than required.	he
Thank you,	
Lorrie Glassford	

Tenant Directory

Spring Valley Mobile Home Park [SV]

Name	Address	Work	Charge	M In	Page #
Code	•	Home Cell	Due On Nsf's	M Out L Beg	Pay Date Pay Type
Email Address		Pager	Late's	_ L Exp	Rec #
SV CURRENT	•				
Teresita Alcumbrack	6406 Millis				
ALCUMBRACK	Rockford				
ALCOMBATCA	MI				
	49341				
Lisa Barone	6492 Bodie				
BARONE	Rockford				
BARONE	MI				
	49341				
Sharon Benoit	6464 Northland Drive				
BENOIT	Rockford				
	MI				
	49341				
Tammy Boorsma	6489 Livingood				
BOORSMA	Rockford				
	MI				
	49341				
Dennis Brooks	6423 Bodie				
BROOKS	Rockford				
•	MI				
	49341				
Dick Bursley	6468 Millis				
BURSLEY	Rockford				
	MI				
	49341				
James Busha	6417 Bodie				
BUSHA	Rockford				
	MI				
	49341				
Maxine Colby	6418 Millis				
COLBY	Rockford				
OGED!	MI				
	49341				
Molon Comell					
Nolan Correll CORRELL	6499 Bodie Rockford				
COLUMN	MI				
	49341				
y Czarnopy's CZARNOPYS	6455 Livingood				
CZAKNUP I S	Rockford				

MI 49341

Name le	Address	Work Home Cell	Charge Due On Nsf's	M In M Out L Beg	Page # Pay Pay Date Pay Type	2
Email Address		Pager	Late's	L Exp	Rec #	
Jacob Datema DATEMA	6469 Livingood Rockford MI 49341					
Donna Davidge DAVIDGE	6518 Bodie Rockford MI 49341					
Emma Jean Doxtater DOXTATER	6523 Bodie Rockford MI 49341					
F Duron DURON-F	6480 Bodie Rockford MI 49341					
Ruth Eaton EATON	6438 Millis Rockford MI 49341					
George Engelsma ENGELSMA	6462 Bodie Rockford MI 49341					
Joy Enterline ENTERLINE	6475 Bodie Rockford MI 49341					
Frederick Homminga FHOMMINGA	6446 Millis Rockford MI 49341					
ucille Garrett GARRETT	6420 Bodie Rockford MI 49341					
Daniel Goodwin GOODWIN	6484 Bodie Rockford MI 49341					
eff Gravelyn 'AVELYN	6509 Livingood Rockford MI 49341					

6464 Northland Drive

Rockford MI 49341

Jamie Groen

GROEN

					Page # 3
Name Email Address	Address	Work Home Cell Pager	Charge Due On Nsf's Late's	M In M Out L Beg L Exp	Pay Pay Date Pay Type Rec #
Michael Gruber GRUBER	6497 Livingood Rockford MI 49341				
Leslie (ЛІІ) Hansen HANSEN	6408 Bodie Rockford MI 49341				
Virgina Harvey HARVEY	6529 Bodie Rockford MI 49341				
Marvin Heiss HEISS	PO Box 292 (6480 Millis) Rockford MI				
Arlene Henderson HENDERSON	49341 6468 Livingood Rockford MI 49341				
Ginette Hendrickson HENDRICKSO	6515 Livingood Rockford MI 49341				
Lyle Herrington HERRINGTON	6422 Livingood Rockford MI 49341				
John Hindenach HINDENACH	6493 Bodie Rockford MI 49341				
Micheal Jansen JANSEN	6501 Livingood Rockford MI 49341				
Jon Jones JONES	6505 Livingood Rockford MI 49341				
John Klemish EMISH	6431 Bodie Rockford MI 49341				

Steven Knight KNIGHT 6487 Bodie Rockford MI

Name e Email Address	Address	Work Home Cell Pager	Charge Due On Nsf's Late's	M In M Out L Beg L Exp	Page # 4 Pay Pay Date Pay Type Rec #
Judith Kolasa KOLASA	6411 Bodie Rockford MI 49341	1 ages	Lates	_ LEXP	Rec #
James Lowden LOWDEN	6434 Bodie Rockford MI 49341				
John May MAY	6494 Bodie Rockford MI 49341				
Shirley Mielke MIELKE	6493 Bodie Rockford MI 49341				
Barbara Miller MILLER	6450 Livingood Rockford MI 49341				
M-JONES	6512 Bodie Rockford MI 49341				
Donald Moot MOOT	6524 Bodie Rockford MI 49341				
Sandra Morris MORRIS-S	6458 Livingood Rockford MI 49341				
Gary Nelson NELSON	6399 Bodie Rockford MI 49341				
Dennis Oswalt OSWALT	6517 Bodie Rockford MI 49341				
Patterson - House TTERSON	6460 Northland Drive Rockford MI 49341				
Alice Phillips PHILLIPS	6517 Bodie Rockford MI 49341				111

					Page # 5
Name	Address	Work Home Cell	Charge Due On Nsf's	M In M Out L Beg	Pay Pay Date Pay Type
Email Address		Pager	Late's	L Exp	Rec #
Nicole Rancour RANCOUR	6403 Bodie Rockford MI 49341				
David Riemersma RIEMERSMA	6441 Livingood Rockford MI 49341				
Russel RUSSELL	6424 Millis Rockford MI 49341				
William Starbuck STARBUCK	6456 Bodie Rockford MI 49341				
Curt Sterley STERLEY	6505 Bodie Rockford MI 49341				
Luomas Thwaites THWAITES	6460 Millis Rockford MI 49341				
Christopher Timmer FIMMER	6432 Millis Rockford MI 49341				
Cathy Tortellet FORTELLET	6395 Bodie Rockford MI 49341				
Ruth Toupal FOUPAL	6495 Bodie Rockford MI 49341				
Brenda Trussel FRUSSEL	6466 Bodie Rockford MI 49341				
Richard Van Dyke `NDYKE	6437 Bodie Rockford MI 49341				
Harvard Vugteveen VUGTEVEEN	6484 Millis Rockford MI				

Rockford MI 49341

Name	Address	Work	Charge	M In	Page # 6
e Email Address		Home Celi Pager	Due On Nsf's Late's	M Out L Beg L Exp	Pay Date Pay Type Rec #
Ben and VIcki Wandron WANDRON	6456 Millis Rockford MI 49341				
Arden Williams WASKO	6426 Bodie Rockford MI 49341				
Madeline Williams WILLIAMS	6474 Millis Rockford MI 49341				
Alora Wilson WILSON	6511 Bodie Rockford MI 49341				
Karole Johnson WOODHOUSE	6412 Millis Rockford MI 49341				

UARIANCE, REQUEST

Spring Valley Mobile Home Park 2350 Franklin Rd. Suite 140 Bloomfield Hills, MI 48302 248-361-6500

May 25, 2007

Mr. Kevin G. DeGroat, Analyst Office of Local Government & Consumer Services P.O. Box 30254 Lansing, MI 48909

Dear Mr. DeGroat:

Spring Valley Mobile Home Park is proud to be one of the oldest Mobile Home parks in the State of Michigan. It has always complied with all Local, State and Federal Guidelines. The residents of this park are retirees, singles and young families. Most have limited income and Spring Valley provides them with affordable living in a peaceful setting. It is the main objective of the park to provide a quality living environment for its residents. Many of our current tenants have been here since the park was initially formed.

The recent violations cited by the State, due to its change in governing bodies, has taken us by surprise. None of the preceding annual inspections had found these violations. The violations in the complaint are due to the proximity of trees, decks and other structures that have been in this park and been in place for over 10 years. The locations of these encroaching objects are outlined in the included photos and drawings. Due to the nature of these violations, we are respectfully requesting 23 variances to be reviewed by the Commission. We are requesting these variances in reference to Rule 947 (a)(4) for the sites listed in the following document that have all been unchanged for more than 10 years and these variance requests are to simply grandfather these sites to allow the mature trees and other structures to remain intact.

In Summary, Spring Valley Mobile Home Park is requesting this variance to allow the park to maintain its charm and personality that have been achieved through years of mature tree growth and residency. We understand the importance of the new guidelines outlined by the current inspection. We will ensure that all new homes moved into the park will be in complete compliance with the new regulations. However, we are requesting that the residents be allowed to keep the improvements they have made and the mature trees we are fortunate to have. We thank you for the opportunity for allowing us to provide this basis for you to consider for our variance request.

Yours truly,

Randall L. Shaw

Managing Member

Spring Valley Mobile Home Park

Variances Requested

6466 Bodie Road

Reason for variance- The deck at 6466 Bodie has been in place for more than 10 years as have the stairs coming from the adjacent home. To remove the deck would create a detrimental change to the property and the residents' enjoyment of same.

6475 Bodie Road

Reason for variance- A shed is located 4' 4" away from the home at 6475 Bodie. The shed is more than 4 feet away from the home and does not appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however, if this were not the case, a variance would be requested to ensure compliance. This shed has been in place for more than 10 years and has enhanced the value of the home for the resident. To remove the shed would create a detrimental change to the property and the residents' enjoyment of same.

6483 Bodie Road

Reason for variance- There are 2 mature trees located with 3 feet of the premises. In addition, there is a shed located 5'2" away from the home at 6483 Bodie. These trees have been on the premises for more than 10 years and to remove them would be harmful both esthetically and environmentally. The shed is more than 4 feet away from the home and does not appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this were not the case, a variance would be requested to ensure compliance.

6497 Bodie Road

Reason for variance- There appears to be more than 4 feet between the homes and it does not appear that this home is in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this is not the case, a variance would be requested to ensure compliance.

6500 Bodie Road

Reason for variance- There is a mature tree 3 feet from the porch of the home at 6500 Bodie. This tree has been on the premises for more than 10 years and to remove it would be harmful both esthetically and environmentally.

6512 Bodie Road

Reason for variance- There is a mature tree 3'6" from the porch of the home at 6512 Bodie. This tree has been on the premises for more than 10 years and to remove it would be harmful both esthetically and environmentally.

6529 Bodie Road

Reason for variance-There are 2 mature trees located with 3 feet of the premises. These trees have been on the premises for more than 10 years and to remove them would be harmful both esthetically and environmentally

↓↓ 6403 Bodie Road

Reason for variance- No objects or fences in place appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this is not the case, a variance would be requested to ensure compliance.

Unit South of 6434

Reason for variance- A chain link fence is 3'10 inches from one side of the home and a shed is located 33" from the home. The shed and fence have been in place for more than 10 years and have enhanced the value of the home for the resident. To remove the shed and fence would create a detrimental change to the property and the residents' enjoyment of same.

6480 Millis Street

Reason for variance- No objects or fences in place appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this is not the case, a variance would be requested to ensure compliance.

6474 Millis Street

Reason for variance- No objects or fences in place appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this is not the case, a variance would be requested to ensure compliance.

6486 Millis Street (incorrectly noted in violation as 6476 Millis)

Reason for variance- There are 3 mature trees less than 4 feet from the home. These trees have been on the premises for more than 10 years and to remove them would be harmful both esthetically and environmentally.

6432 Millis Street

Reason for variance- There is a mature tree 2 feet from the home at 6432 Millis. This tree has been on the premises for more than 10 years and to remove it would be harmful both esthetically and environmentally.

6515 Livingood

Reason for variance- There is an existing fence creating a 3' walkway between the homes. This fence has been in place for more than 10 years and to remove the fence would create a detrimental change to the property and the residents' enjoyment of same.

6511 Livingood

E

Reason for variance- There is an existing fence creating a 3' walkway between the homes. This fence has been in place for more than 10 years and to remove the fence would create a detrimental change to the property and the residents' enjoyment of same.

6509 Livingood

Reason for variance-There is an existing fence creating a 2'6" walkway between the homes. This fence has been in place for more than 10 years and to remove the fence would create a detrimental change to the property and the residents' enjoyment of same.

6505 Livingood

Reason for variance-No objects or fences in place appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this is not the case, a variance would be requested to ensure compliance.

6501 Livingood

Reason for variance- There is an existing fence creating a 3' walkway between the homes. This fence has been in place for more than 10 years and to remove the fence would create a detrimental change to the property and the residents' enjoyment of same.

Lot 15

0

Reason for variance- There is an existing fence creating a 3' walkway between the homes. This fence has been in place for more than 10 years and to remove the fence would create a detrimental change to the property and the residents' enjoyment of same.

Lot 12

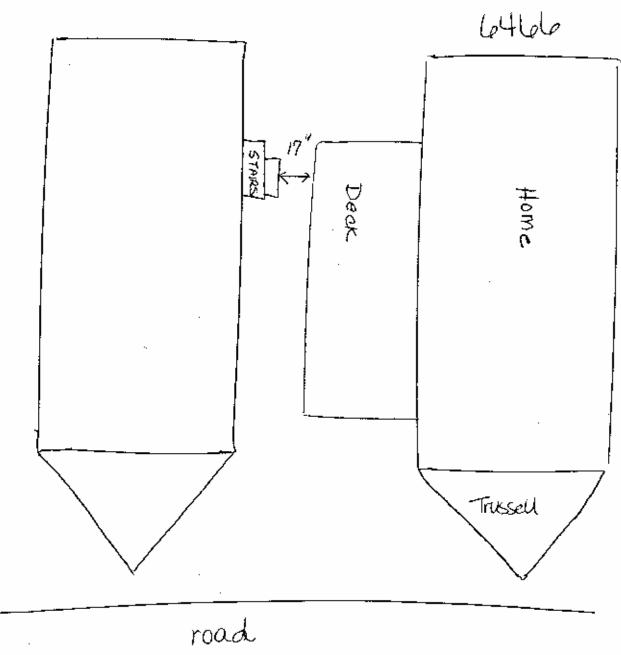
Reason for variance- A shed is located 4 feet away from the home. As the shed is 4 feet away from the home it does not appear to be in violation of Rule 947 (a)(4) as there appears to be more than a 4' walkway, however if this were not the case, a variance would be requested to ensure compliance. This shed has been in place for more than 10 years and has enhanced the value of the home for the resident. To remove the shed would create a detrimental change to the property and the residents' enjoyment of same.

1 2 6469 Livingood

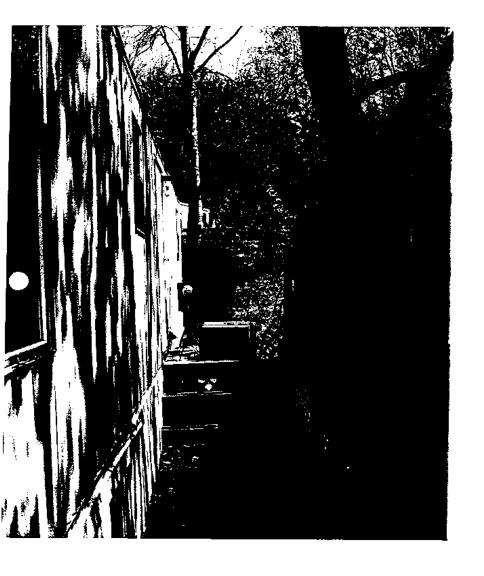
Reason for variance- A shed is located 1 foot away from the home. This shed has been in place for more than 10 years and has enhanced the value of the home for the resident. To remove the shed would create a detrimental change to the property and the residents' enjoyment of same.

Second Unit on left near main entrance (6460 Livingood)

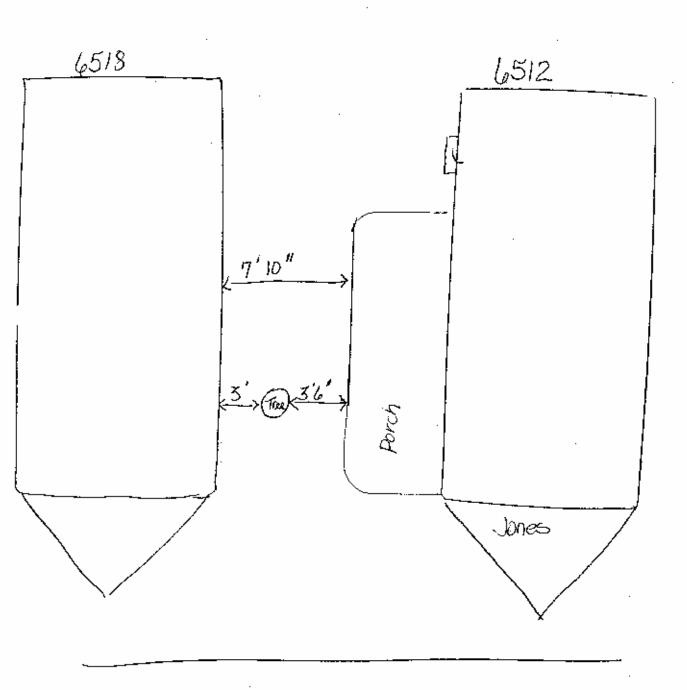
Reason for variance- There is a mature tree less than 4 feet from the home. This tree has been on the premises for more than 10 years and to remove it would be harmful both esthetically and environmentally.











Bodie



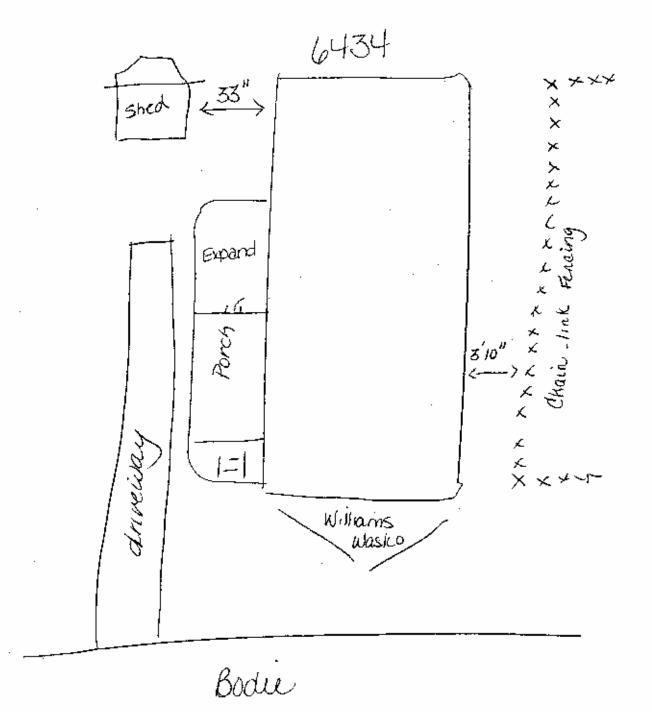
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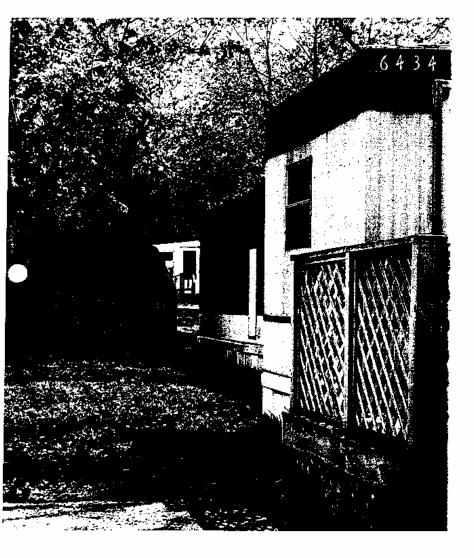
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651:

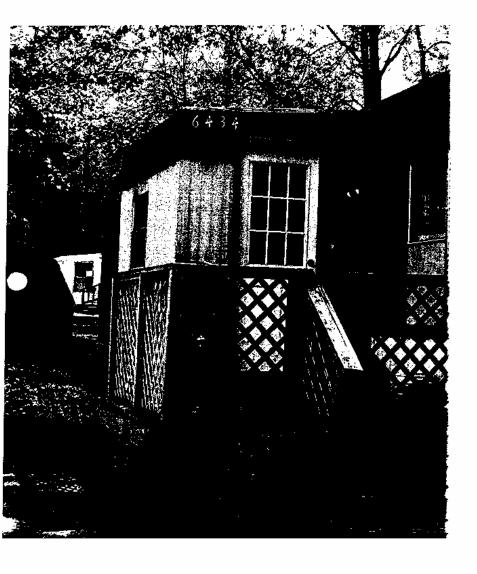


Back Carlo

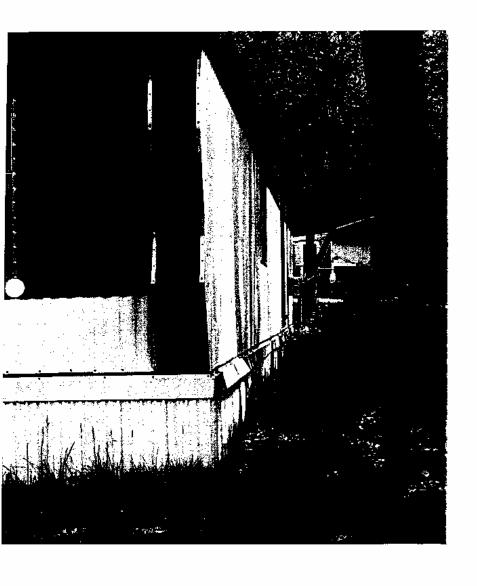




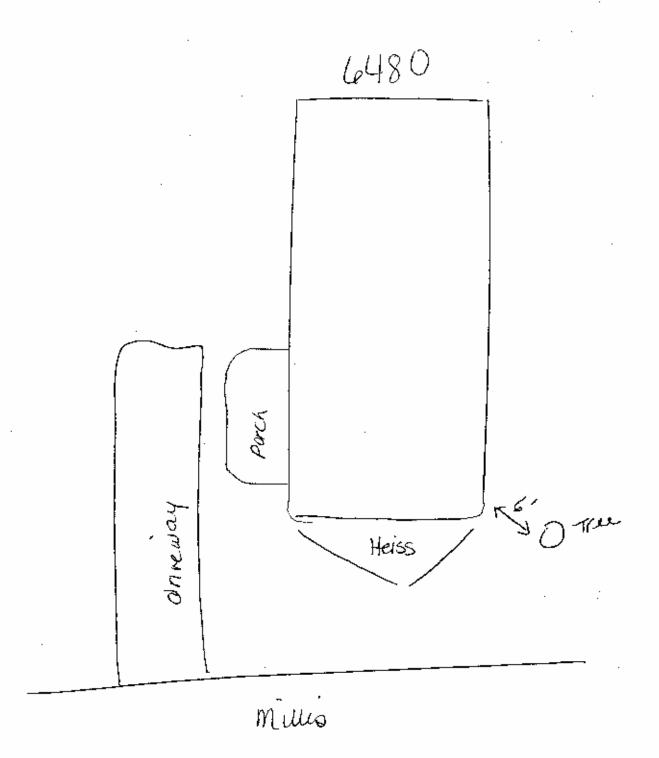


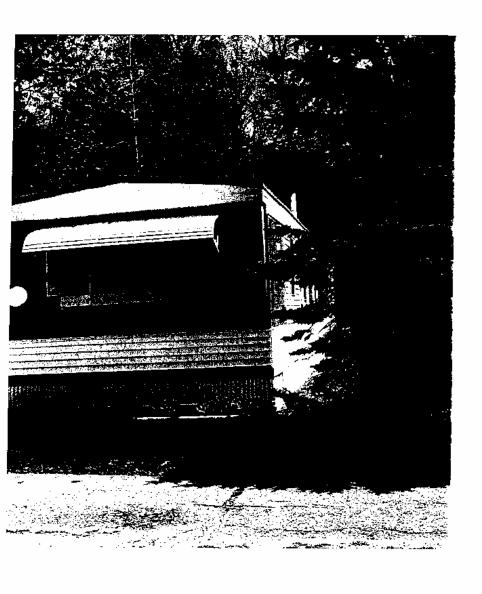








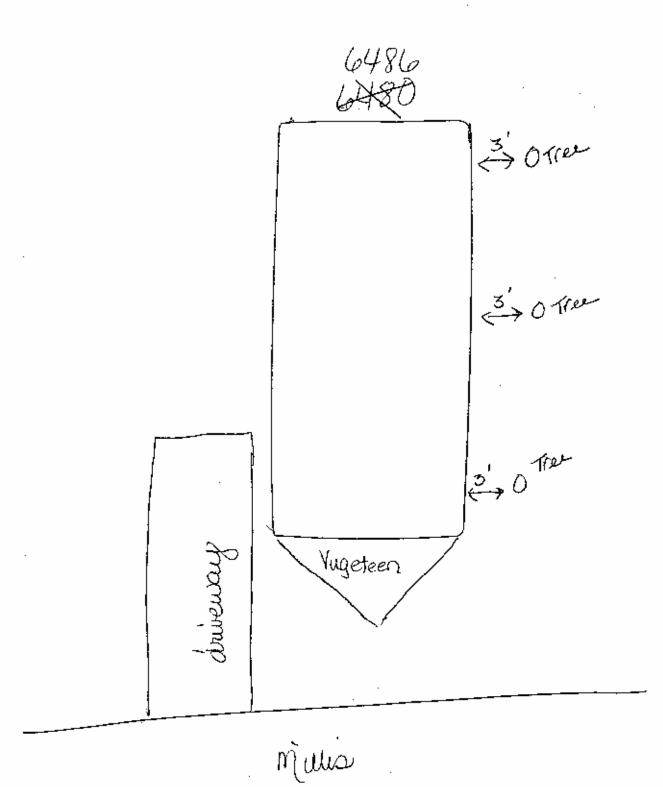








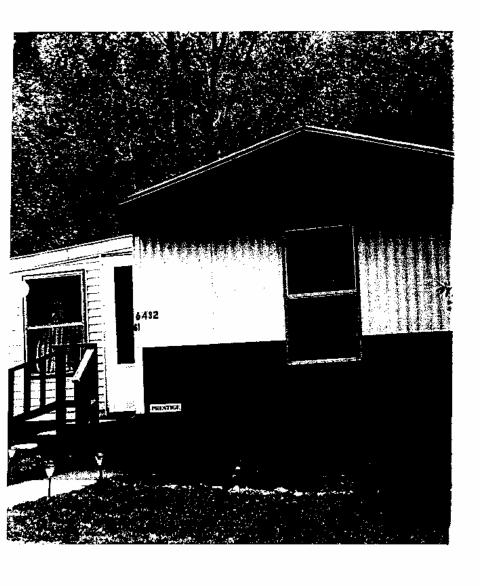




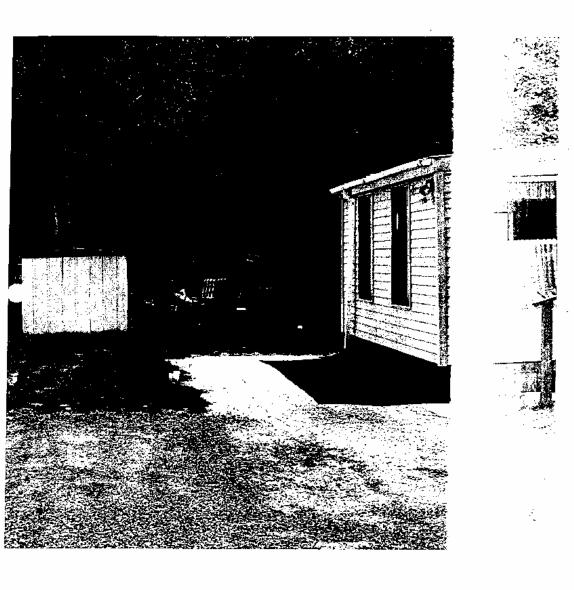


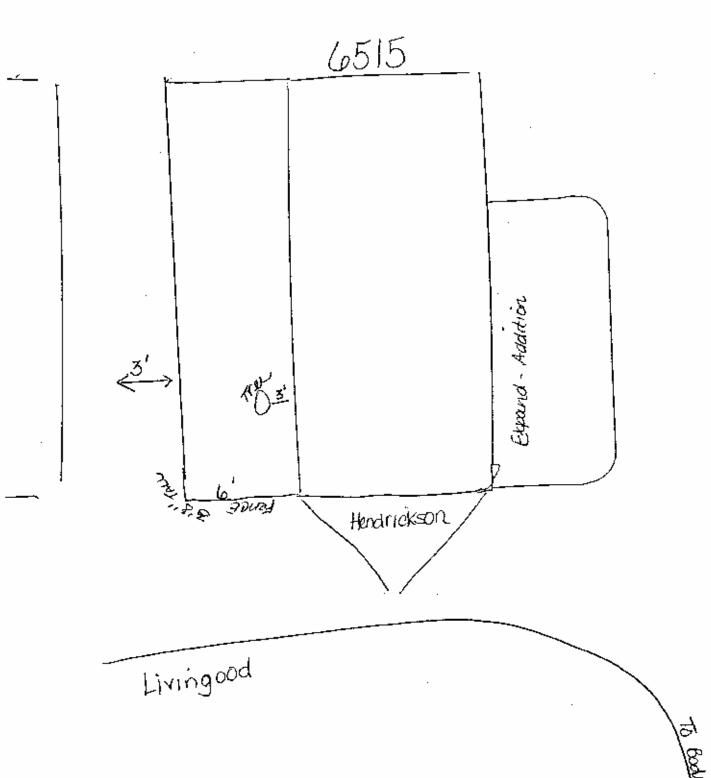
6432 Para Timmer m wis



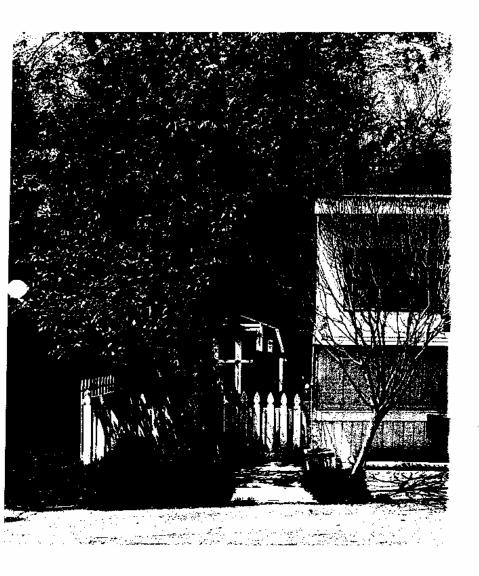








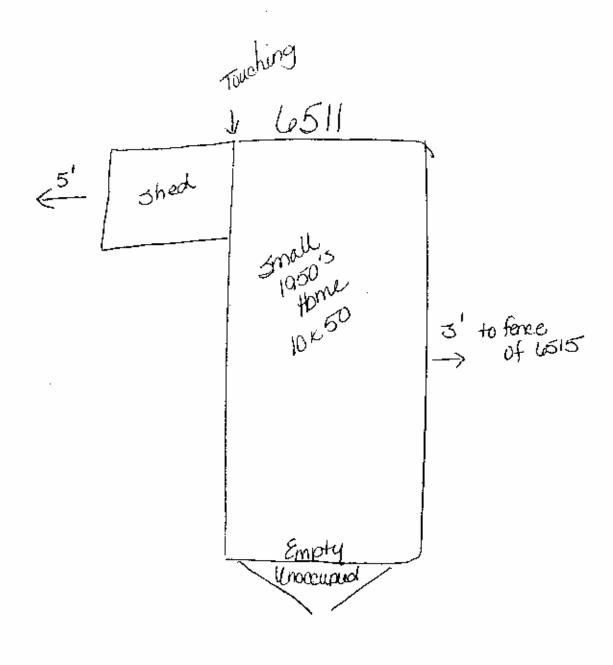




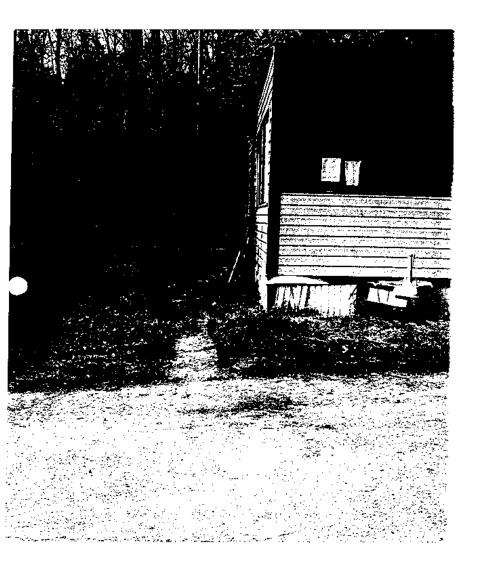




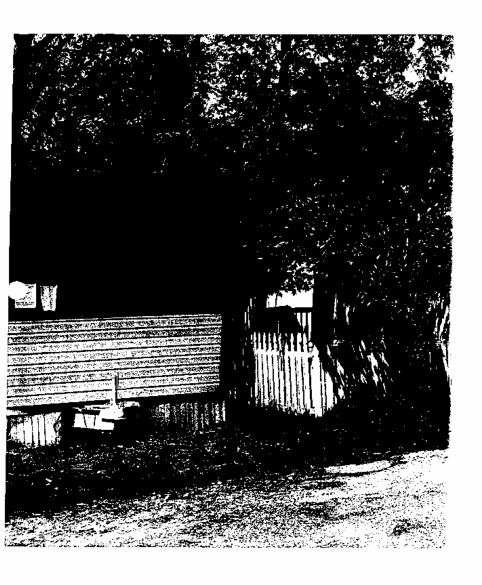


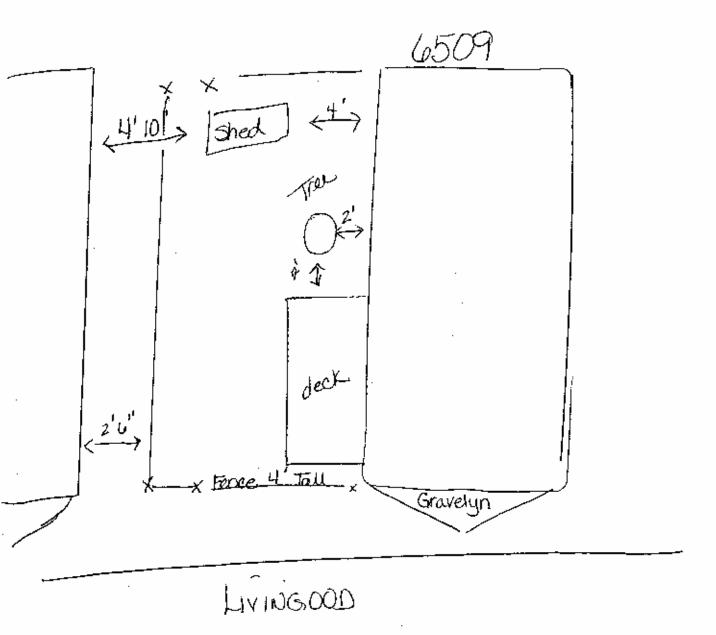


Livingood



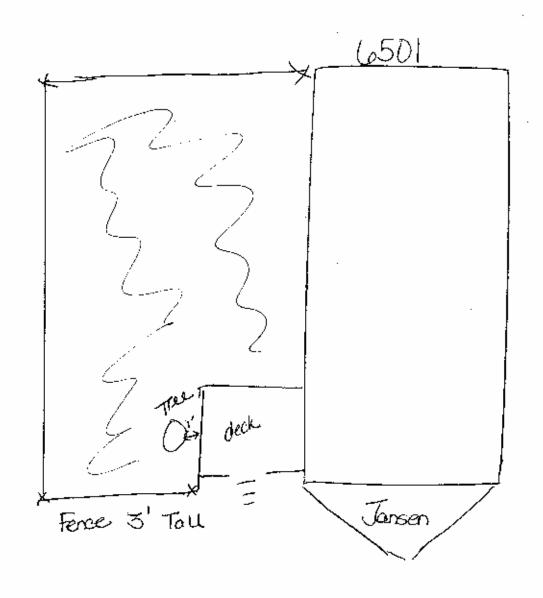




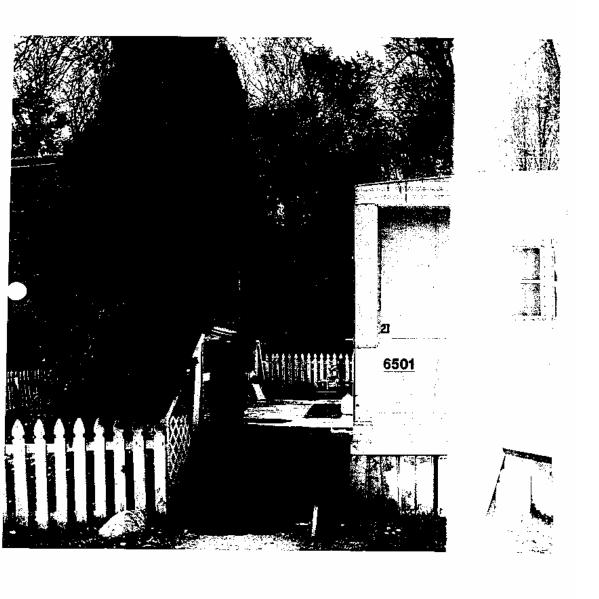








Livingood

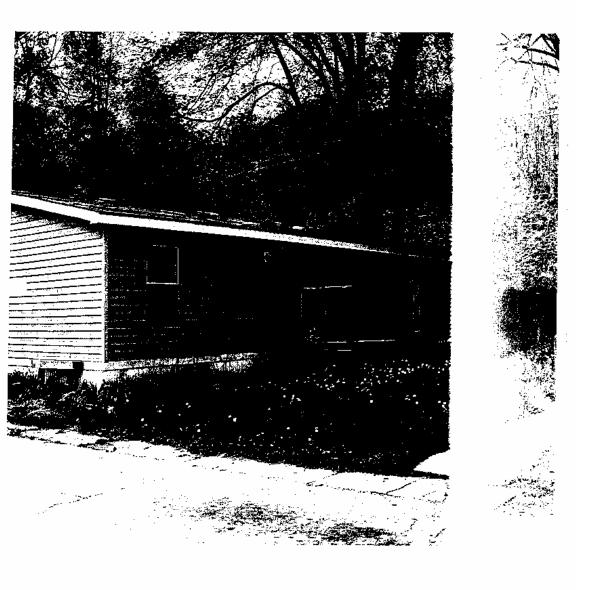


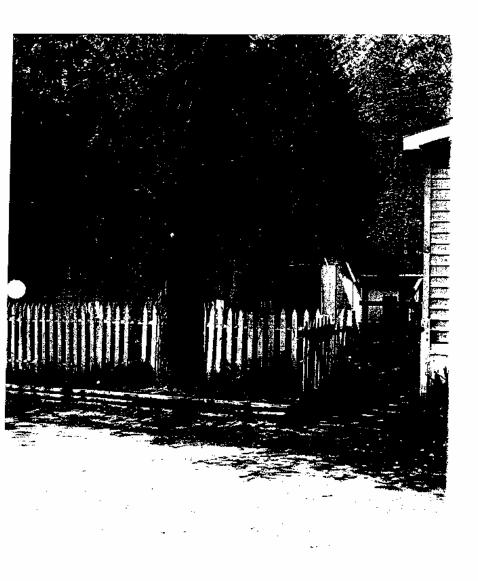






Shed Lot 15 double wide Blue Jedu 5' Fence Livingood





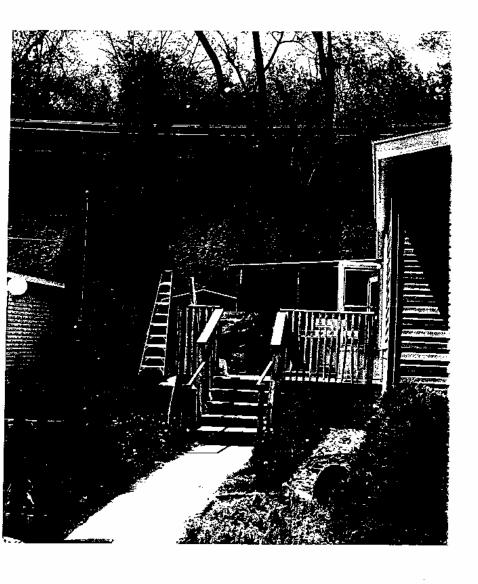


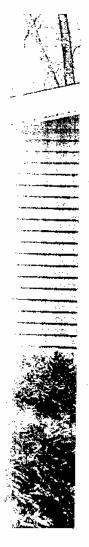


shed 6469 double Datema fence 4'

Livingood



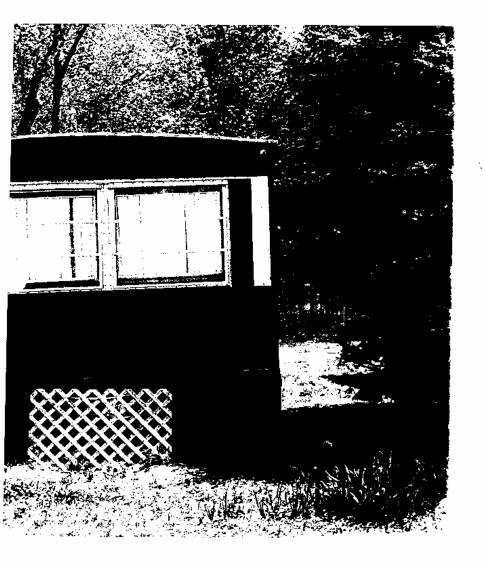




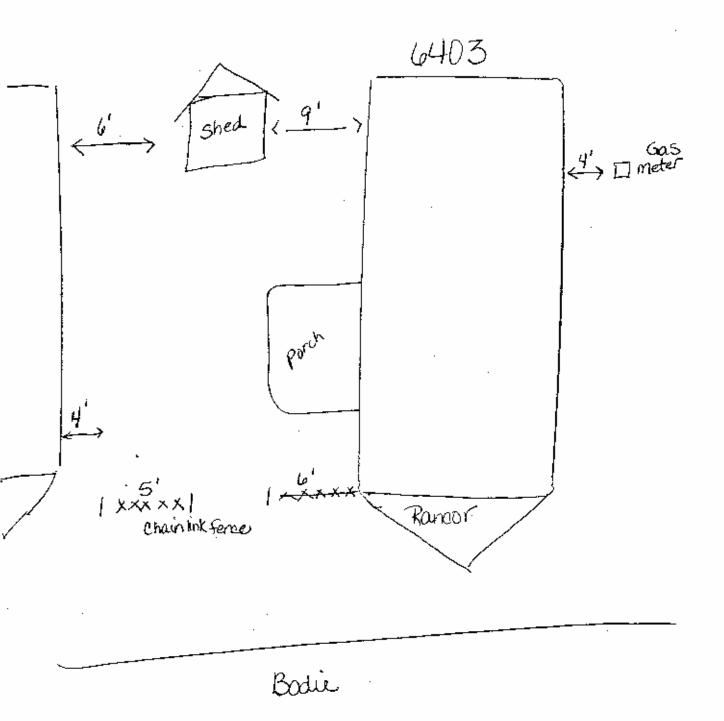
2nd House @ extrans 6460

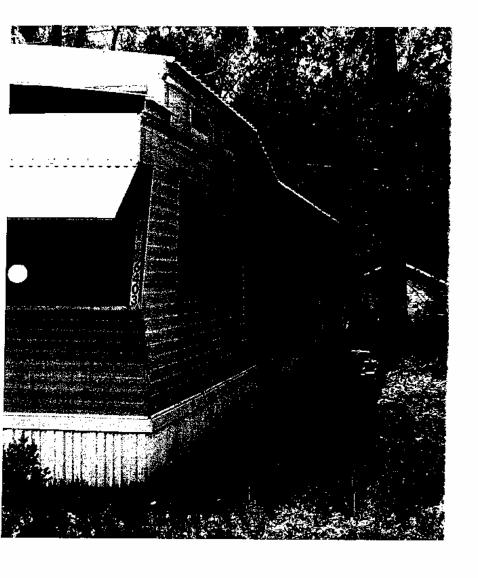






















JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

ROBERT W. SWANSON DIRECTOR

February 12, 2007

TO:

Manufactured Housing Commission

FROM:

Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT:

REQUEST FOR VARIANCE: Lots 5-95; 142-157 and 173-204

WATERS EDGE MANUAFCTURED HOME COMMUNITY (WE)

(LENAWEE CO.)

R125.1920(1)(c), Rule 920(1)(c): Dead end internal roads shall terminate with a turning area radius of 50 feet. Parking shall not be permitted within the turning area, which shall be posted within the turning area.

R125.1905(5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

Attached is a two-component variance submission from Mr. Steve Gilling of New Age Design, LLC, parent company of WE. WE requests that the Commission allow it to construct 137 expansion sites to the internal dead-end road termini specifications in effect on September 27, 1995, rather than to the variation of 50-foot radii turning circles now required by Rule 920(1)(c) under the August 1, 2003, rules revisions. Correspondingly, WE also wants a third extension of its expired Permit to Construct (PTC) and seeks a variance to the 10-year renewal limitation established in the latter rule above. WE desires a five to eight-year extension (2012 to 2015).

WE justifies its request by contending that the plans for construction of this project were approved before the aforementioned rules were amended in 2003. Although renewed Permit to Construct PC-718 issued for 209 sites expired on September 27, 2005, the plans including the turnarounds were approved on September 27, 1995, as detailed in the Bureau's attached December 5, 2006, letter. WE also contends that it would not change the construction format approved in its initial plans. The applicant attributes his failure to finish construction under previous permits to a post-9/11 economy.

Waters Edge February 12, 2007 Page Two

The lapse of the PTC necessitates a third variance to satisfy the applicant's earliest projected completion date of 2012. Under the 10-year clause of Rule 905(5), the PTC, originally issued in 1995, may not be administratively renewable through that date.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rules 920(1)(c) and 920(2), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to revise his construction plans. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the revised rules that became effective on 8/1/03 is a related question the applicant wants you to decide.

Finally, whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rule 905(5), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to expedite construction to satisfy a sooner deadline. In any event, if the Commission is convinced by WE's justification, there may be grounds for approving this variance, or a modified version with a shorter timeline between now and May 2012, if not 2015.

KGD/kgd

Attachment

cc: Bill DeTemple, OLGCS (w/attach.)
Irvin Poke, BCC, Plan Review (w/attach.)
Mark Sisco, Admin. (w/attach.)

Attention Kevin DeGroat,

Here is my packet fulfilling the criteria to hopefully get my variance for my construction permit to be renewed. Please let me know when it will go before the board ,as soon as you can.

Tank-You, Steve Gilling

New Age Design LLC.

Project: Waters Edge Mobile Home Park

1-5-0>

Dear State Of Michigan Department Of Labor & Economic Growth ,Office Of Local Government &Consumer Services, & Michigan Bureau Of Construction Services,

I am requesting a variance to extend the permit to construct Waters Edge remaining lots5-95,142-157,&173-204 for a minimum of five to eight years due to my hardship case. Due to 9-11 and the terrible economy in Michigan the project has sold like a turtle moves at best! We have a total of 10 residents and the new construction would not be adjacent to any of them. It's a very nice community and I ask that you please grant my request.

Thank-You for your time, New Age Design LLC.

Footnote; Depending on how the States economy does will determine when construction will be completed. So please extend permit for as long as you can.

Again I Thank You

Dear Woodstock Township Clerk,

Please be advised that New Age Design LLC. Is seeking a Manufactured Housing Commission Variance for Waters Edge located on Devils Lake Highway south of 223. This variance does not change the plan that you received a number of years ago.

Thank-You,

New Age Design LLC. (Waters Edge)Management

Dated 1-5-07

2/12/07

to: Kevin Degroat

No Homes or structured

are proposed for any variances.

Also the construction Area is

Just a plain weed field, so

no pictures are Required

as per our conversation in

December 2006 & further discussion

an feb, 12th 2007.

Thank-you Steve 6. 11.hg

New Age Design LCC.

(waters Edge)



JENNIFER M. GRANHOLM **GOVERNOR**

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

ROBERTW. SWANSON

December 5, 2006

Ms. Donna Dilly New Age Design PO Box 79 Hadley, MI 48440

RE: Project Number: 59261 - Lenawee

Waters Edge 15773 Donnas Path Woodstock, MI

Construction Type: Renewal

No. of Sites: 209

Dear Ms. Dilly:

This project has been reviewed for compliance with the State of Michigan Manufactured Housing General Rules.

2003 Manufactured Housing General Rules - Usha Menon

1. Rule 905(5)-The plan approval and permit to construct and shall be valid for 5 years after the date of the issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan approval and permit to construct was issued.

Our records indicate that the initial approval was on September 27, 1995 and expired on September 27, 2000. A renewal was issued on April 11, 2001 and expired on September 27, 2005. No more renewals can be approved since it is more than 10 years now, from the initial approval date. Since 72 sites are constructed and licensed you can apply for an expansion permit for the remaining 137 sites. In order to process your application you shall submit one set of signed and sealed construction documents prepared in accordance with 2003 Manufactured Housing Rules.

> Providing for Michigan's Safety in the Built Environment PLAN REVIEW DIVISION BUREAU OF CONSTRUCTION CODES P.O. BOX 30254 . LANSING, MICHIGAN 48909 Telephone (517) 241-9328 • Fax (517) 241-9308 www.michigan.gov

Ms. Donna Dilly Page 2 December 5, 2006

Rule 920(c) requires the dead end internal roads shall terminate with a turning radius of 50 feet. Dead ends at Star Grass Lane, Maple Valley and Spruce Hill (both ends) shall be revised accordingly.

An additional fee of \$448.00 for the expansion permit and plan approval shall be submitted.

2. Rule 948(1)- The Commission may authorize a variance to the community design and construction rules.

If compliance cannot be achieved a variance from the Manufactured Housing Commission is required. For details contact Office of Local Government and Consumer Services at 517-241-9347.

Upon receipt of a written satisfactory response to each plan review comment, the approval will be forwarded.

If you have any questions regarding your plan review, please contact our office at (517) 241-9328.

Sincerely,

Usha Menon, Plan Reviewer

UM/hf

cc: BCCFS - Building Division

Stephens Consulting



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

June 18, 2007

TO:

Manufactured Housing Commission

FROM:

Kevin DeGroat, Office of Local Government and Consumer Services

SUBJECT:

REQUEST FOR VARIANCE

WILLIAMSBURG VILLAGE MANUFACTURED HOUSING COMMUNITY (WV)

(BAY CO., PC-654)

R125.1905(5), Rule 905(5): A plans approval and permit to construct shall be valid for 5 years after the date of issuance and may, upon application, review of the previously approved construction plans for compliance with these rules, and approval of the application, be renewed by the department if the last renewal does not expire more than 10 years after the initial plan's approval and permit to construct was issued.

R125.1920(1)(c), Rule 920(1)(c): Dead end internal roads shall terminate with a turning area radius of 50 feet. Parking shall not be permitted within the turning area, which shall be posted within the turning area. (Eff. 8/1/03)

R125.1920(1)(c), Rule 920(1)(c): An internal road that has no exit at one end shall terminate with an adequate turning area. Parking shall not be permitted within the turning area. (Eff. 7/16/98)

R125.1920(1)(f)(i), Rule 920(1)(f)(i): No-parking internal roads shall have driving surfaces not less than 21 feet. (Eff. 8/1/03)

R125.1920(1)(f)(i), Rule 920(1)(f)(i): A one-way, no parking internal road shall have a driving surface that is not less than 13 feet. (Eff. 7/16/98)

Attached is a two-component June 6, 2007, variance submission from Mr. Sam Wardlaw, Westphal Associates, LLC, requesting that the Commission modify an initial Permit to Construct extension through 4/5/12 to allow WV to complete construction of a 12 to 15-foot wide one-way internal road segment to front 10 sites in this development. A 13-foot wide one-way internal road segment was the minimum width permitted under the pre-8/1/03 version of Rule 920(1)(f). WV also wants the Commission to approve its request to allow its internal dead-end roads to terminate with a rectangular cul-de-sac with an outside 40-foot wide radii, rather than the minimum 50-foot turning radii established by the post-8/1/03 amendment of Rule 920(1)(c).

Providing for Michigan's Safety in the Built Environment

Memorandum: Williamsburg Village

June 18, 2007 Page Two

Initially issued a Permit to Construct on 4/5/02 and seeking its first renewal now, WV's PTC expired on 4/5/07 (PC 654). Mr. Wardlaw explains that it would be costly and burdensome for his client to revise the original approved construction plans to upgrade the one-way road to a wider two-way street with a 21-foot minimum driving surface. He contends that this would reduce available lots and necessitate an additional round of re-engineering and re-approvals.

Diagrams and a 2002 fire department letter discussing the development are attached for your review.

Whether this filing demonstrates an exceptional practical difficulty to compliance and, thus, supports the need for a variance to Rule 905(5), under the criteria of Rule 948, hinges upon whether the Commission believes it would be an exceptional practical difficulty to require the developer to submit new construction plans for the 10 sites, the serving one-way street and the 40-foot cul-de-sac. Whether the developer has also demonstrated an exceptional practical difficulty to complying with the current 21-foot road width and 50-foot turning radii standards of Rules 920(1)(f)(i) and 920(1)(c), respectively, which became effective on 8/1/03 are related questions that the applicant wants you to decide. In any event, if the Commission is convinced by Mr. Wardlaw's justification, there may be grounds for approving the 10 proposed sites, their one-way internal road section and rectangular turning configuration, or a modified variance.

KGD/kgd

Attachment

cc: Bill DeTemple, OLGCS (w/att.)

Larry Lehman, BCC, Building Division (w/att.) Irvin Poke, BCC, Plan Review (w/att.)



June 6, 2007

Mr. Kevin DeGroat
Department of Labor & Economic Growth
Office of Local Government & Consumer Services
6546 Mercantile Way
P.O. Box 30222
Lansing, MI 48909

Dear Mr. DeGroat:

My client, Williamsburg Village, L.L.C., has applied for a renewal of a "Permit to Construct" for Williamsburg Village that was first issued on April 5, 2002 and expired on April 5, 2007. The Bureau of Construction Codes (BCC) has asked that the plans first be revised to show dead end internal roads terminating with a turning radius of fifty (50) feet and to show driveways to 10 lots at a twenty (21) foot minimum width.

We are requesting a variance from Rule 920(1)(c) to allow internal dead end roads to terminate with a rectangular cul-de-sac with a 40° outside radius instead of 50 (see attached detail) as shown on the original approved construction plans. These plans were also approved by the Auburn Fire Chief in 2002 (copy of letter attached) when the first permit to construct was issued by the Michigan Department of Consumer and Industry Services.

Rule 920(f) states that internal roads with no parking shall have a driving surface width not less than 21 feet. The BCC states that there are 12 and 15 foot wide driveways serving 10 homes. They want my client to treat these driveways as roads (even though their review letter calls them driveways). See the attached plans for locations and details. Rule 924 states that the minimum width of a driveway shall be 10 feet. However, to appease the BCC we are requesting a variance from Rule 920(f) to allow 12 to 15 foot wide driveways to serve lots 20, 21, 22, 207, 208, 229, 230, 329, 330, and 331 (see attached plan). Again, this plan was approved with these driveways by all the reviewing agencies and the Auburn Fire Chief in 2002.

Revising the plans to meet the BCC's requests would result in additional costs for new engineering, plan review & approval, and additional paving. It would also result in several lots having less yard area or the loss of some lots to maintain the yard areas in the remaining lots. This would place an undue burden on my client, and negatively affect the integrity of the plan, when the current plans have already met all the approval requirements of all the reviewing agencies involved.

Please have the Commission act on this request as soon as possible.

Sincerely,

DONALD C. WESTPHAL ASSOCIATES, L.L.C.

Sam C. Wardlaw, RLA, ASLA

cc: Auburn Township



June 6, 2007

Township of Williams P.O. Box 97 1080 W. Midland Road Auburn, MI 48611

Attn Township Clerk:

This letter is to inform you we are seeking a variance from the Michigan Manufactured Housing Commission in regards to the Williamsburg Village Manufactured Home Community. The Commission Rules have been recently revised concerning the termination of dead-end internal roads. While construction has not begun on the project we are requesting a variance from that revision to allow the internal dead-end roads to be constructed as originally approved by the township and the state.

We are also seeking a variance for some driveway widths. Please see the attached copy of the variance request letter for a detailed description of our requests.

Feel free to call me if you have any questions.

Sincerely,

DONALD C. WESTPHAL ASSOCIATES, L.L.C.

Sam C. Wardlaw, RLA, ASLA

Sam C. Wardlaw

cc: K. DeGroat, K. Thompson



AFFIDAVIT

TO: Mr. Kevin DeGroat
Department of Labor & Economic Growth
Office of Local Government & Consumer Services
6546 Mercantile Way
P.O. Box 30222
Lansing, MI 48909

RE: Williamsburg Village Manufactured Home Community

SUBJECT: Request for variance

I hereby certify that all measurements submitted to the Manufactured Home Commission in my Request for Variance in Williamsburg Village Manufactured Home Community are accurate.

Sam C. Wardlaw, RLA, ASLA

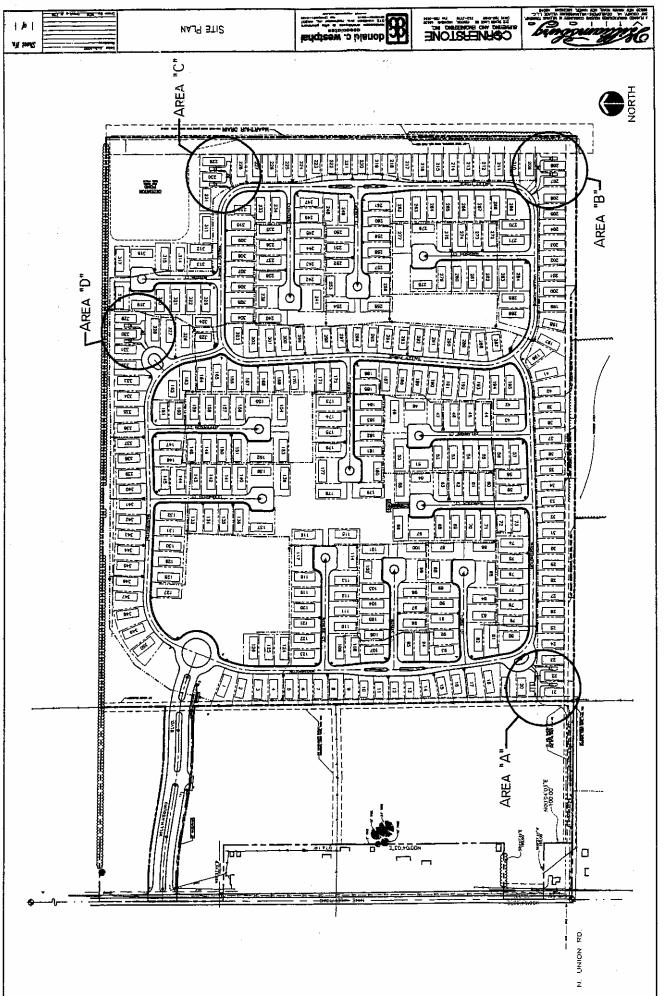
Donald C. Westphal Associates, L.L.C.

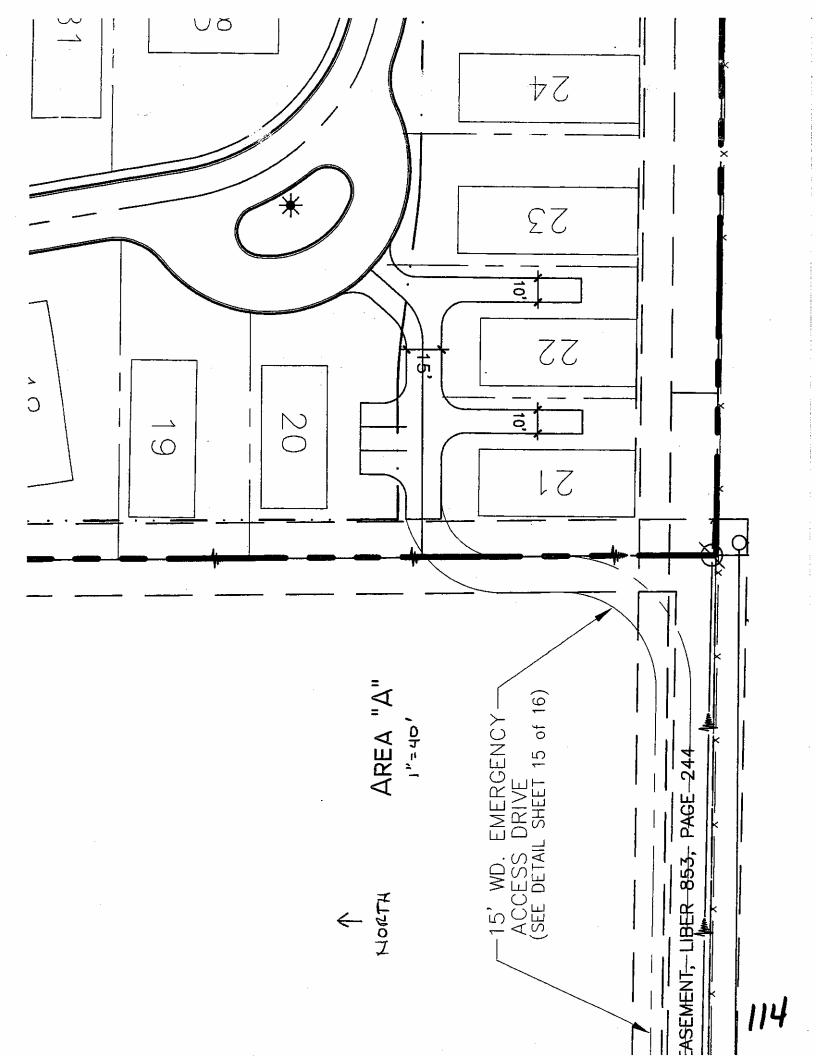
71 N. Livernois, Suite A Rochester Hills, MI 48307

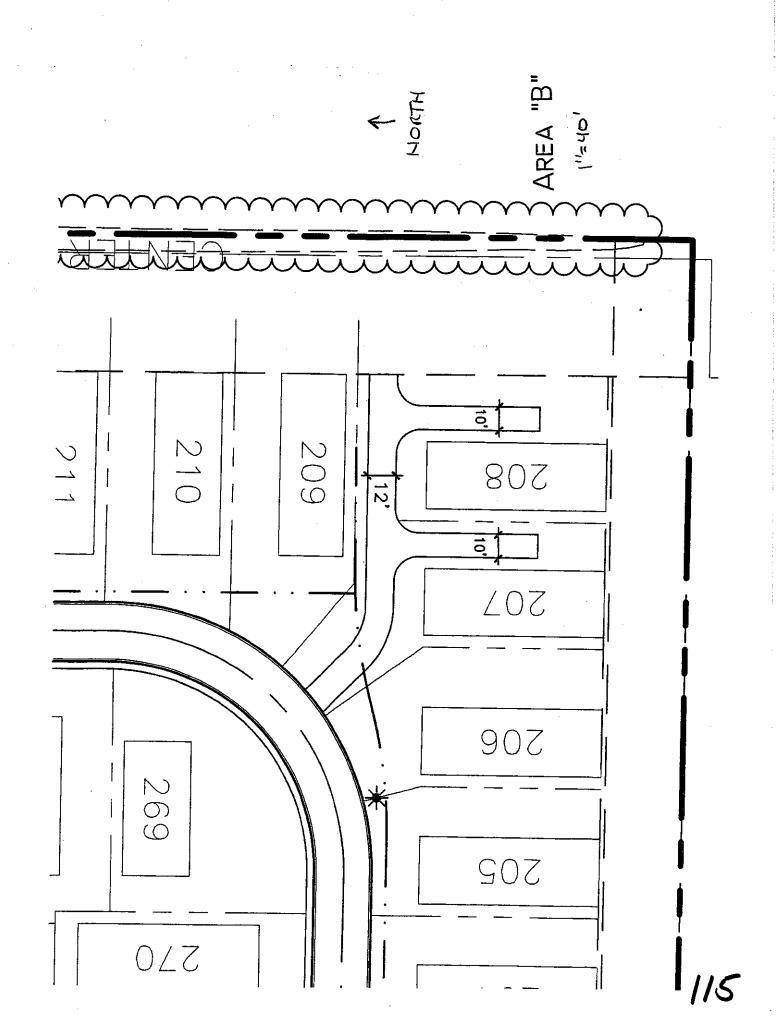
Sworn to and subscribed before me, a Notary Public in and for the County of Oakland, State of Michigan, this _____ day of _____ 2007.

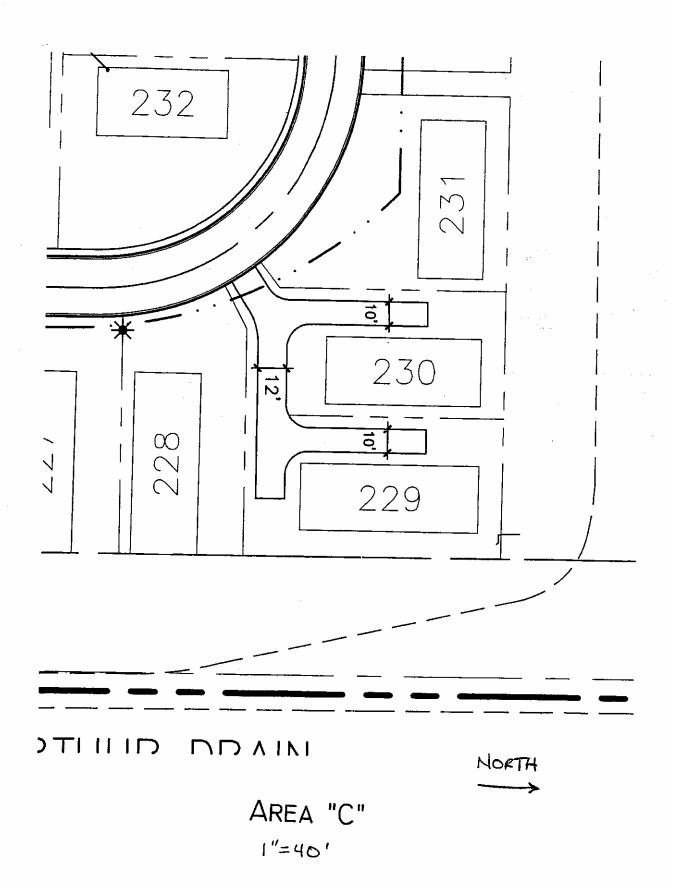
Notary Public

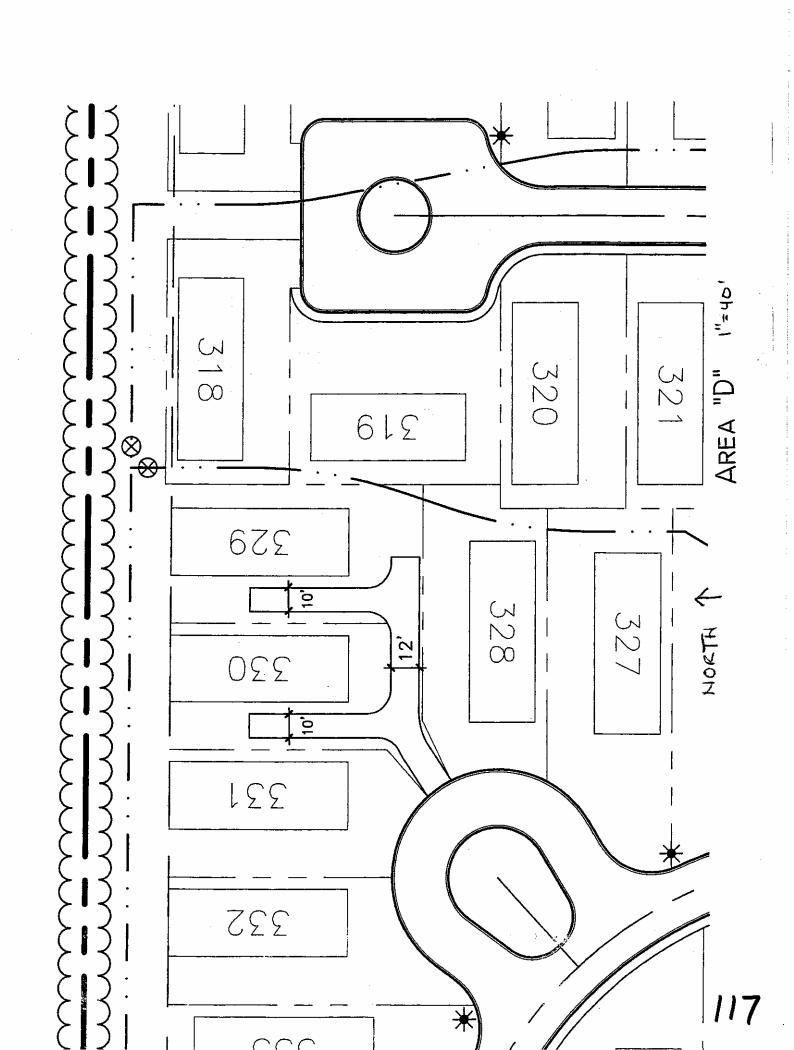
My commission expires:

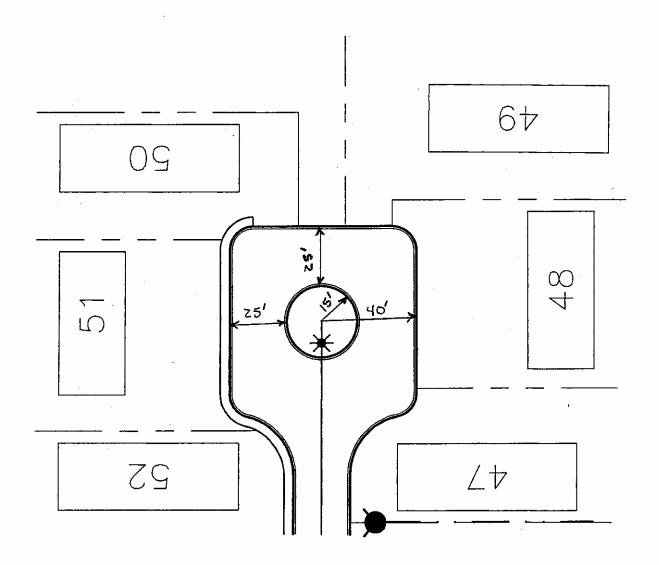












CUL-DE-SAC DETAIL

SCALE: 1"=40"





1090 W. MIDLAND RGAD AUBURN, MICHIGAN 48611

Mr Lloyd Dubisky Donald C. Westphal Associates 512 Madison Ave Rochester, MI 48307 Letter via Fax (248)651-0450

Cc:

Williams Township Zoning Administrator Williams Township Supervisor

April 7, 2002

FIRE CODE ANALYSIS FOR WILLIAMSBURG VILLAGE P.U.D.

We have reviewed the fire water and roadway access plan drawings for the Williamsburg Village P.U.D. as detailed in Donald C. Westphal Associates Project Drawings (Sheets 1,2,7,8, and 15 of 16) #736, entitled Cover Sheet, Overall Site Plan, Sanitary & Water "A", Sanitary & Water "B", and Standard Details & Notes, revised as of 4/2/02.

Fire Department Access Analysis was conducted using the Uniform Fire Code (1994), Section 902. Fire Water Supply Analysis was conducted using the Uniform Fire Code (1994), Section 903 and related Appendix Materials in Appendix III-A and III-B.

This letter confirms that the fire hydrant locations and fire water supply, as submitted, are acceptable to the fire department.

FIRE HYDRANT LAYOUT

The drawings presented provide hydrant locations for 27 fire hydrants in the project, and are essentially the same as the locations approved in our September 23, 2001 letter. We do request the ability at construction to field point the final orientation of fire hydrants.

Please confirm the acceptability of the three models of hydrants called out in your Water Main General Notes Item #10 (Public Watermain Notes and Details "B") with the Williams Township Office.

FIRE WATER SUPPLY

Water supply calculations have been provided through EPA-net analysis conducted by Cornerstone Surveying & Engineering, Inc. for 1350 gpm (in excess of anticipated residential demand) in the vicinity of the clubhouse structure (node 6) and at 1000 gpm (in

Williamsburg Village P.U.D. Review April 7, 2002 Page TWO

excess of anticipated residential demand) for various hydrants throughout the project. In both analyses, residual pressure was in excess of the required 20 psig minimum.

A 4-inch Schlumberger Neptune HP Protectus III with T-10 Bypass will be installed as the master meter. The calculations submitted are consistent with the pressure drop listed in manufacturer's literature for this UL Listed/FM Approved water meter, and as such meets the minimum fire water supply of 1000 gpm at 20 psig at any on-premise fire hydrant (in excess of designed domestic water use).

Upon completion of the installation, field demonstration of this hydraulic performance through the water master meter will be required. The fire department is willing to provide assistance in conducting this test.

I am including a copy of your April 3, 2002 letter along with one set of Public Watermain Plans and the latest Williamsburg Construction Plans with my forwarded letter to the Williams Township Supervisor.

Should you require any additional information, or have any questions, please feel free to contact me at (989)662-2699 or via email: Chief.Snyder@email.toast.net

Respectfully,

Mike Snyder Fire Chief

PENDING LICENSE APPROVALS AUGUST 15, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
RHP Properties, Inc. 31200 Northwestern Hwy.	Value Family Homes – Yankee Springs LLC 1330 N. Patterson Road
Farmington Hills, MI 48334	Wayland, MI 49348
Howard Farris, Operator	William S. Dalton, Operator
On Site Construction Services LLC	Value Family Homes – Norton Shores LLC
400 Haliburton Drive Lake Orion, MI 48362	3223 Bailey Muskegon, MI 49444
Dennis N. Brown, Operator	William S. Dalton, Operator
Douglas Edward Naragon	Value Family Homes – Forest Lake LLC
Naragons Manufactured Housing Services	17147 148 th Avenue
13208 State Street	Spring Lake, MI 49456
New Troy, MI 49119	William S. Dalton, Operator
Michael D. Sowers	Value Family Homes – Dutch Village LLC
Best Environmental Surroundings Today	2198 E. Mount Morris Road
112 N. Lafayette	Mount Morris, MI 48458
Warren, MI 48091	William S. Dalton, Operator
Ernest K. Mueller	Value Family Homes – Country Estates LLC
E C M Repair	14700 State Road
45476 Fielding	Spring Lake, MI 49456
Macomb, MI 48042	William S. Dalton, Operator
Charles Burton	Independent Mobile Home Sales
Aardvark of Jackson Mfg Home Service &	100 S. Waverly
Supply	Holland, MI 49423
15263 Cooley Road	Ronald S. Webb, Operator
Addison, MI 49220	
Terry S. Chaffee	·
J.C. Pro Care Mobile & Manufactured	,
Home Service	
4611 W. Conrad	
Ludington, MI 49431	

Bureau of Construction Codes Manufactured Housing Commission

PROPOSED 2008 MEETING SCHEDULE

<u>Date</u>	Location	
February 13, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
April 16, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
June 11, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
August 13, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
October 15, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
December 10, 2008	2501 Woodlake Circle, Okemos, Conference Room #3	
Ordinance Review Committee		
January 16, 2008	2501 Woodlake Circle, Okemos, Conference Room #2	
March 12, 2008	2501 Woodlake Circle, Okemos, Conference Room #2	
May 14, 2008	2501 Woodlake Circle, Okemos, Conference Room #2	

Meetings are scheduled to begin at 10:00 a.m. Dates, times and locations are subject to change. Additional meetings may be added as necessary.

July 16, 2008

September 10, 2008

November 12, 2008

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

2501 Woodlake Circle, Okemos, Conference Room #2

2501 Woodlake Circle, Okemos, Conference Room #2

2501 Woodlake Circle, Okemos, Conference Room #2



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

MANUFACTURED HOUSING COMMISSION DEPARTMENT OF LABOR AND ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES 2501 Woodlake Circle, Conference Room #3 Okemos, Michigan

MINUTES — DRAFT

June 20, 2007 10:00 a.m.

MEMBERS PRESENT

Mr. Ronald Blank, Vice-Chairperson

Ms. Kathy Edwards-Johnson

Ms. Carole Elliott

Mr. Kevin Gillette

Mr. David Hagey

Mr. Mark Raukar

MEMBERS ABSENT

Ms. Brenda Abbey - Unexcused

Mr. Brian Fannon, Chairperson - Excused

Ms. Mary Fowlie - Excused

Mr. Michael Shivok - Unexcused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Mark Sisco, Deputy Director, Bureau of Construction Codes (BCC)

Mr. Larry Lehman, Chief, Building Division, (BCC)

Mrs. Brenda Caron, Executive Secretary, Building Division, BCC

Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC

Mr. Kevin DeGroat, Regulation Specialist, OLGCS, BCC

Mr. Bill DeTemple, Analyst, OLGCS, BCC

Mr. Irvin Poke, Chief, Plan Review Division, BCC

OTHERS IN ATTENDANCE

Mr. William Cavanaugh, Built Rite Homes

Mr. Tim DeWitt, MMHA

Mr. Walter Elliott, Swan Creek MHP

Mr. Steve Gilling, New Age Design

Mr. Mark Mathews, Aspen Village MHP

Mr. Thomas P. Scallen, Asst. Attorney General

Mr. Chris Snelling, Robinhood Estates

Mr. John D. Stewart, Built Rite Homes

Mr. Lynwood Wellhausen, Rudgate Communities

Providing for Michigan's Safety in the Built Environment

1. <u>CALL TO ORDER AND DETERMINATION OF QUORUM</u>

The meeting was called to order at approximately 10:03 a.m. by Vice-Chairperson Blank. Roll call was taken and a quorum was determined to be present at that time.

2. <u>APPROVAL OF THE AGENDA</u>

Vice-Chairperson Blank requested that item "a. Raisin Ridge Manufactured Home Community" be removed from the Tentative Agenda under "Variances".

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Gillette to approve the Tentative Agenda as amended. **MOTION CARRIED**.

****Addendum 1

3. <u>APPROVAL OF MINUTES</u>

A **MOTION** was made by Commissioner Gillette and supported by Commissioner Elliott to approve the minutes of the April 18, 2007, meeting. **MOTION CARRIED.******Addendum 2

4. PUBLIC COMMENT

No one spoke.

5. <u>IMPOSITION OF PENALTIES</u>

In the Matter of Built Rite Homes, Inc., Michael A. Downer, Secretary/Treasurer and Operator, and John D. Stewart, President

Mr. Cavanaugh and Mr. Stewart were present to represent the Respondents.

Mr. DeGroat represented the Bureau of Construction Codes.

After a lengthy discussion, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Elliott to close this discussion and move on with the items on the agenda. **MOTION CARRIED.**

Thereafter, a **MOTION** was made by Commissioner Elliott and supported by Commissioner Raukar to impose a civil fine in the amount of Ten Thousand Dollars (\$10,000.00); and automatic revocation of the Respondents' Manufactured Housing

Retailer License No. D001792-01 sixty (60) days from the date of the Final Order if the Respondents do not issue by registered mail certified, cashier's or bank money order checks in the amount of Thirty-Thousand Dollars (\$30,000.00) made payable to Jeff S. Ruby, 15549 Cortez Boulevard, Brooksville, Florida 34613 to reimburse Mr. Ruby for the consumer deposit described in Count I of the July 13, 2006, Order to Show Cause and is due because of Respondents' failure to comply with terms and conditions of the February 22, 2006, Consent Agreement; and submit documentation confirming that the aforementioned checks have been issued to Mr. Ruby. Revocation of Respondents' Manufactured Housing Retailer License shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation under Rule R125.1214b. If the license is revoked, the Respondents shall make full restitution to any of Respondents' customers that have been harmed by Respondents' failure to comply with the Act and Rules and/or harmed by Respondents' failure to fulfill any outstanding business transactions prior to Respondents ceasing their manufactured housing retailer business operations; should Respondents qualify for and obtain a Manufactured Housing Retailer License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondents fail to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondents' Manufactured Housing Retailer License is revoked pursuant to the limitation described above, Respondents shall make full restitution to all customers to whom Respondents have not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license.

There was some discussion over the Thirty-Thousand Dollar (\$30,000.00) consumer deposit amount stated in the motion and whether it is accurately stated since Twenty-Thousand Dollars (\$20,000.00) of that has already been reimbursed to Mr. Ruby. Thereafter, Commissioner Elliott withdrew her motion and Commissioner Raukar withdrew his support of the motion.

Then, a **MOTION** was made by Commissioner Gillette and supported by Commissioner Elliott to impose a civil fine in the amount of Ten Thousand Dollars (\$10,000.00); and automatic revocation of the Respondents' Manufactured Housing Retailer License No. D001792-01 sixty (60) days from the date of the Final Order if the Respondents do not issue by registered mail certified, cashier's or bank money order checks in the amount of Ten-Thousand Dollars (\$10,000.00) made payable to Jeff S. Ruby, 15549 Cortez Boulevard, Brooksville, Florida 34613 to reimburse Mr. Ruby for the unreturned balance of the Thirty-Thousand Dollar (\$30,000.00) consumer deposit described in Count I of the July 13, 2006, Order to Show Cause and is due because of Respondents' failure to comply with terms and conditions of the February 22, 2006, Consent Agreement; and submit documentation confirming that the aforementioned checks have been issued to Mr. Ruby. Revocation of Respondents' Manufactured Housing Retailer License shall automatically require Respondents and any manufactured housing licensee of the Bureau

to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the Act during the time of suspension or revocation under Rule R125.1214b. If the license is revoked, the Respondents shall make full restitution to any of Respondents' customers that have been harmed by Respondents' failure to comply with the Act and Rules and/or harmed by Respondents' failure to fulfill any outstanding business transactions prior to Respondents ceasing their manufactured housing retailer business operations; should Respondents qualify for and obtain a Manufactured Housing Retailer License after the effective date of the Final Order, the license issued shall contain the limitation that it will automatically be revoked if Respondents fail to comply with the Act and shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed if deemed necessary by the Department; if Respondents' Manufactured Housing Retailer License is revoked pursuant to the limitation described above, Respondents shall make full restitution to all customers to whom Respondents have not delivered contractually stipulated services of One Hundred Percent (100%) of the value of those services after revocation of the license. MOTION CARRIED.

****Addendum 3

6. <u>VARIANCES</u>

Robinhood Estates (Lenawee County)

Mr. Snelling was present to represent the community.

Mr. DeGroat reviewed the request.

A MOTION was made by Commissioner Elliott and supported by Commissioner Raukar to approve the request for variances to Rule R125.1947a of the Manufactured Housing General Rules and R125.757(b) of 1949 PA 52, as amended, for the sites referenced in the applicant's request, with the condition that any subsequent home or structure placed or moved on these lots after the date this variance is issued be sited in compliance with the distance and setback requirements established in Section 7 of 1949 PA 52, as amended, and Rule R125.1947a of the Manufactured Housing General Rules. MOTION CARRIED.

****Addendum 4

Waters Edge Manufactured Home Community (Lenawee County)

Mr. Gilling was present to represent the community.

Mr. DeGroat reviewed the request.

After discussion, it was decided that the Commission needs to see the Site Plan with noted changes between what was originally designed and what was changed in 2003 before they can make an informed decision. So a **MOTION** was made by Commissioner Hagey and supported by Commissioner Gillette to table this agenda item until the August 15, 2007, Commission meeting. **MOTION CARRIED.**

7. <u>COMMITTEE REPORTS</u>

Ordinance Review

City of Dearborn Heights (Wayne County)

No one was present to represent the city.

Mr. DeGroat reviewed the request.

A **MOTION** was made by Commissioner Edwards-Johnson and supported by Commissioner Hagey to accept the Committee's recommendation. **MOTION CARRIED.**

****Addendum 5

8. OLD BUSINESS

There was no old business.

9. <u>NEW BUSINESS</u>

License Approval

A **MOTION** was made by Commissioner Elliott and supported by Commissioner Hagey to approve all pending licenses. **MOTION CARRIED**.

****Addendum 6

Report on Annual Inspections of Manufactured Home Communities

Mr. Lehman gave a brief report on the status of annual inspections of manufactured home communities. There are currently 1,163 licensed communities in the state. As of June 20, 2007, annual inspections have been completed at 1,086 (93.4%) of the communities; leaving 77 (6.6%) yet to be done. Of the inspections completed, 487 (45%) had no violations, while 594 (54.5%) had one or more violations. There also appears to be 5 communities that are closed based on the inspector's comments; however, the community operators have not notified the Bureau of closure.

10. EXECUTIVE DIRECTOR'S REPORT

Mr. Lehman announced that the public hearing on the 2006 Building, Residential and Rehabilitation Code Rules was held on May 31, 2007, at the State Library in Lansing, Michigan. There were several suggested changes to the rules, so the Bureau is in the process of responding to those written comments.

Also, Bureau staff are still working with the Department and SOHAR to help move over some of the DEQ rules that the Bureau of Construction Codes is now responsible for enforcing. They have to be moved from the DEQ rule set to the Manufactured Housing rule set. There have been two meetings in the last month with DEQ staff. So hopefully by the next Commission meeting, the Bureau will be moving forward with these rules.

11. OTHER BUSINESS

There was no other business.

12. ADJOURNMENT

At 11:35 a.m., a **MOTION** was made by Commissioner Gillette and supported by Commissioner Hagey to adjourn the meeting. **MOTION CARRIED.**



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

MANUFACTURED HOUSING COMMISSION DEPARTMENT OF LABOR AND ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES
2501 Woodlake Circle, Conference Room #3
Okemos, Michigan
AGENDA
June 20, 2007

June 20, 2007 10:00 a.m.



- 1. Call to Order and Determination of Quorum
- 2. Approval of Tentative Agenda
- 3. Approval of Minutes April 18, 2007
- 4. Public Comment [If issues are raised during public comment which require a response, the Commission's Executive Director will respond and Commissioners who wish to comment will make their comments after the Executive Director's response. The Commission will not allow public comment about the substance of open or closed complaints (unless, if regarding a closed complaint, the right to appeal is waived) but will allow public comment about procedural issues related to complaints. Public comment will be limited to 10 minutes for an individual representing an organization and 5 minutes for an individual not representing an organization; the Commission chairperson may grant the individual an additional 10 minutes.]
- 5. Imposition of Penalties
 - a. Built Rite Homes, Inc., Michael A. Downer, Secretary/Treasurer and Operator, and John D. Stewart, President (pages 1-69)

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Brenda Caron by phone at (517) 241-9317 or by email to caronb@michigan.gov at least 10 work days before the event.

Providing for Michigan's Safety in the Built Environment

- 6. Variances
 - a.
 - b. Robinhood Estates (Lenawee County) (pages 77-85)
 - c. Waters Edge Manufactured Home Community (Lenawee County) (pages 86-93)
- 7. Committee Reports
 - a. Ordinance Review Committee (pages 94-98)
- 8. Old Business
- 9. New Business
 - a. License Approval (page 99)
 - b. Report on Annual Inspections of Manufactured Home Communities
- 10. Executive Director's Report
- 11. Other Business
- 12. Adjournment



JENNIFER M. GRANHOLM GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH LANSING

KEITH W. COOLEY DIRECTOR

MANUFACTURED HOUSING COMMISSION DEPARTMENT OF LABOR AND ECONOMIC GROWTH

BUREAU OF CONSTRUCTION CODES 2501 Woodlake Circle, Conference Room #3 Okemos, Michigan

MINUTES

April 18, 2007 10:00 a.m.

APPROVED

MEMBERS PRESENT

Mr. Brian Fannon – Chairperson

Mr. Ronald Blank

Ms. Kathy Edwards-Johnson

Ms. Carole Elliott

Mr. Kevin Gillette

Mr. David Hagey

Mr. Mark Raukar

MEMBERS ABSENT

Ms. Brenda Abbey - Excused

Ms. Mary Fowlie - Excused

Mr. Michael Shivok - Unexcused

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL ATTENDING

Mr. Larry Lehman, Chief, Building Division, Bureau of Construction Codes (BCC)

Mrs. Brenda Caron, Executive Secretary, Building Division, BCC

Mr. Scott Fisher, Director, Office of Local Government & Consumer Services (OLGCS), BCC

Mr. Kevin DeGroat, Regulation Specialist, OLGCS, BCC

Mr. Bill DeTemple, Analyst, OLGCS, BCC

Mr. Irvin Poke, Chief, Plan Review Division, BCC

Mr. Dave Viges, Director, Office of Management Services (OMS), BCC

Mrs. LeeAnn Allaire, Departmental Analyst, OMS, BCC

OTHERS IN ATTENDANCE

Ms. Betty Blackburne, Sunset Village MHP

Mr. William Cavanaugh, Built Rite Homes

Ms. Cynthia Compton, Stone's Throw

Mr. Tim DeWitt, MMHA

Mr. Michael Downer, Built Rite Homes

Mr. Walter Elliott, Swan Creek MHP

Mr. Brad Elvidge, Marysville Farms

Mr. Gary Gillings, Oakview Estates

Mr. John McCauslin, Sunset Village MHP

Ms. Evduza Ramaj, Sunset Village MHP

Mr. John D. Stewart, Built Rite Homes

Mr. Lynwood Wellhausen, Rudgate Communities

Signatures

Brenda S. Caron, Secretary

Building Division

Approved by the Manufactured Housing Commission on:

June 20, 2007

Ronald A. Blank, Vice-Chairperson

Manufactured Housing Commission

MANUFACTURED HOUSING COMMISSION BUREAU OF CONSTRUCTION CODES

2501 Woodlake Circle Okemos, Michigan 48864

In the Matter of:

Built Rite Homes, Inc. 731 Garfield Avenue Traverse City, Michigan 49686

(Mailing Address)

Michael A. Downer, Secretary/Treasurer & Operator
Built Rite Homes, Inc.
G-3481 S. Dort Highway
Burton, Michigan 48529

John D. Stewart, President Built Rite Homes, Inc. 731 Garfield Avenue Traverse City, Michigan 49686

Manufactured Housing Retailer License No. D001792-01

(Respondents)

FINAL ORDER OF THE MANUFACTURED HOUSING COMMISSION
TO IMPOSE CIVIL FINE,
TO IMPOSE REVOCATION OF LICENSE,
AND TO IMPOSE ORDER OF RESTITUTION
PURSUANT TO THE MOBILE HOME COMMISSION ACT

WHEREAS, the Michigan Department of Labor & Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq; MSA

Δ_3

BCC Complaint No. D 05-0077

3.560(101) et seq; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq; MSA 19.855(101) et seq (hereafter the Act), and the Rules promulgated under the Act (hereafter the Rules), issued a Findings of Fact, Conclusions of Law, Order to Cease and Desist, and Recommendation to Impose Penalties Pursuant to the Mobile Home Commission Act (hereafter the Order Finding Facts and Violations) on August 23, 2006, that was forwarded to the Manufactured Housing Commission for the imposition of penalties; and

WHEREAS, the Order Finding Facts and Violations and Notice that the Manufactured Housing Commission would take action imposing penalties pursuant to the Order Finding Facts and Violations at its regularly scheduled meeting on June 20, 2007, was served on Respondents by certified mail on or about May 9, 2007, at 731 Garfield Avenue, Traverse City, Michigan 49686; G-3481 South Dort Highway, Burton, Michigan 48529; 260 Hunters Court, Grand Blanc, Michigan 48529; 10215 Stonehill Lane, Goodrich, Michigan 48438; and was served on Respondents' attorney, Mr. William J. Cavanaugh, by certified mail at 1184 W. Bristol Road, Suite B, Flint, Michigan 48507. The same was received by Respondents and Respondents' attorney on or about May 12, 2007; and

WHEREAS, the Manufactured Housing Commission, at its regularly scheduled meeting on June 20, 2007, reviewed the Order Finding Facts and Violations, which is appended hereto and incorporated herein by reference; and

WHEREAS, the Manufactured Housing Commission voted unanimously to impose the following penalties:

IT IS ORDERED, pursuant to Section 43(1) (g) of the Act, that RESPONDENTS SHALL, within 60 days of the Commission's issuance of this Order:

- a. Issue by registered mail certified, cashier's or bank money order checks in the amount of Ten-Thousand Dollars (\$10,000.00) made payable to Jeff S. Ruby, 15549 Cortez Boulevard, Brooksville, Florida 34613. This compensation shall be in the amount to reimburse Mr. Ruby for the unreturned balance of the Thirty-Thousand Dollar (\$30,000.00) consumer deposit described in Count I of the July 13, 2006, Order to Show Cause. It is due because of Respondents' failure to comply with terms and conditions of the February 22, 2006, Agreement.
- b. Submit to the Bureau documentation confirming that the aforementioned checks have been issued to Mr. Ruby.

Respondents' failure to comply with items a through b above, within the aforementioned 60 days, shall result in imposition of the following additional penalties:

- c. A civil fine in the amount of Ten Thousand Dollars (\$10,000.00).
- d. Revocation of Respondents' Manufactured Housing Retailer License Number D001792-01.
- e. Revocation of Respondents' Manufactured Housing Retailer License Number D001792-01 shall automatically require Respondents and any manufactured housing licensee of the Bureau to not employ an individual who was an operator of a licensee whose license has been suspended or revoked under the act during the time of suspension or revocation, under Rule R125.1214b, as stated in the final paragraph on page nine of the July 13, 2006, Order to Show Cause.
- f. Revocation of Respondents' Manufactured Housing Retailer License No. D001792-01 shall automatically result in Respondents being ordered to make full restitution to any of Respondents' customers that have been harmed by Respondents' failure to comply with the Act and Rules, and/or harmed by Respondents' failure to fulfill any outstanding business transactions prior to Respondents ceasing their manufactured housing retailer business operations.

IT IS FURTHER ORDERED, pursuant to Section 38(2) of the Act, because Respondents have engaged in acts or practices constituting violations of the Act or Rules or an Order issued thereunder, that Respondents CEASE AND DESIST from any act or practice constituting a violation of the Act or Rules or an Order issued pursuant to the Act.

IT IS FURTHER ORDERED, pursuant to Section 43(1)(c) of the Act, that should Respondents qualify for and obtain a Manufactured Housing Retailer License after the effective date of this Final Order, the LICENSE ISSUED SHALL CONTAIN THE LIMITATION THAT IT WILL AUTOMATICALLY BE REVOKED **IF** RESPONDENTS FAIL TO COMPLY WITH THE ACT. Revocation of the license shall automatically result in a request by the Manufactured Housing Commission that a Receiver be appointed, if deemed necessary by the Department.

IT IS FURTHER ORDERED, pursuant to Section 43(1) (h) of the Act, that if Respondents' Manufactured Housing Retailer License is revoked, under the limitation described in the preceding paragraph, RESPONDENTS SHALL MAKE FULL RESTITUTION to all customers to whom Respondents have not delivered contractually stipulated services, of One Hundred Percent (100%) of the value of those services after revocation of the license.

IT IS FURTHER ORDERED that this Final Order is effective immediately.

BUILT RITE HOMES, INC. FINAL ORDER

ANY COMMUNICATION regarding this Final Order should be addressed to the Michigan Department of Labor & Economic Growth, Bureau of Construction Codes, Building Division, Attention: Larry Lehman, Chief; P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH

MANUFACTURED HOUSING COMMISSION

Ronald A. Blank, Vice-Chairperson

Dated: 6 25 07

A Copy of this Final Order was sent by Certified Mail to:

Built Rite Homes, Inc. 731 Garfield Avenue Traverse City, Michigan 49686

Michael A. Downer, Secretary/Treasurer & Operator Built Rite Homes, Inc. G-3481 S. Dort Highway Burton, Michigan 48529

Michael A. Downer 260 Hunters Court Grand Blanc, Michigan 48529

Michael A. Downer 10215 Stonehill Lane Goodrich, Michigan 48438

John D. Stewart, President Built Rite Homes, Inc. 731 Garfield Avenue Traverse City, Michigan 49686

BUILT RITE HOMES, INC. FINAL ORDER

Robert H. Bancroft, Esq. 5206 Gateway Centre, Suite 200 Flint, Michigan 48507

Jeff and Brenda Ruby 15549 Cortez Boulevard Brooksville, Florida 34613

William J. Cavanaugh, Attorney 1184 W. Bristol Road, Suite B Flint, Michigan 48507

A Copy of this Final Order was sent by Interdepartmental Mail to:

Larry Lehman
Building Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Scott Fisher
Office of Local Government and Consumer Services
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

Thomas Scallen
Assistant Attorney General
Department of the Attorney General
Cadillac Place
3030 West Grand Boulevard, Suite 10-200
Detroit, Michigan 48202

Mark Sisco, Deputy Director Bureau of Construction Codes P.O. Box 30254 Lansing, Michigan 48909

MANUFACTURED HOUSING COMMISSION BUREAU OF CONSTRUCTION CODES

2501 Woodlake Circle Okemos, Michigan 48864

In the Matter of:

ROBINHOOD ESTATES [P000305]

Lenawee County

Mr. Christopher Snelling Robinhood Estates 3180 North Adrian Highway Adrian, MI 49221

ORDER OF THE MANUFACTURED HOUSING COMMISSION VARIANCE TO MANUFACTURED HOUSING DEVELOPMENT CONSTRUCTION STANDARDS

Pursuant to Section 18(5), 1987 PA 96, as amended, MCL 125.2318(5), your May 14,
 2007, request for variances to Rule R125.1947a of the Manufactured Housing General
 Rules and R125.757(b) of 1949 PA 52, as amended, are APPROVED as follows:

STRUCTURE OR HOME		FROM THE HOME
ON SITE NO.	<u>IS</u>	ON SITE NO.
18	1' 2" to 1"	19
20 carport	1' 2" to 3' 7"	19

2. This variance legitimizes the aforementioned two distance reduction variance requests outlined in your May 14, 2007, letter.

Robinhood Estates Order of the Manufactured Housing Commission Page 2

3. This approval is subject to the following conditions:

That any subsequent home or structure placed or moved on these lots after the date this variance is issued be sited in compliance with the distance and setback requirements established in Section 7 of 1949 PA 52, as amended, and Rule R125.1947a of the Manufactured Housing Commission Rules.

ANY COMMUNICATION regarding this Order should be addressed to the Michigan Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local Government and Consumer Services, Attention: Kevin G. DeGroat, P.O. Box 30254, Lansing, Michigan 48909-8203.

MANUFACTURED HOUSING COMMISSION

Ronald A. Blank, Vice-Chairperson

June 20, 2007

MANUFACTURED HOUSING COMMISSION BUREAU OF CONSTRUCTION CODES

2501 Woodlake Circle Okemos, Michigan 48864

In the Matter of:

CITY OF DEARBORN HEIGHTS

Wayne County

Ms. Michelle Aniol McKenna Associates, Inc. 235 East Main Street Northville, MI 48167

ORDER OF THE MANUFACTURED HOUSING COMMISSION TO CONDITIONALLY APPROVE PROPOSED

LOCAL ORDINANCE PURSUANT TO

THE MOBILE HOME COMMISSION ACT

WHEREAS, the Manufactured Housing Commission (hereafter the Commission), pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCLA 24.201 et seq.; MSA 3.560(101) et seq.; Executive Order 1996-2; the Mobile Home Commission Act, 1987 PA 96, as amended; MCLA 125.2301 et seq.; MSA 19.855(101) et seq. (hereafter the Act); and the rules promulgated under the Act (hereafter the Rules), received a proposed local ordinance higher standard from the City of Dearborn Heights on May 1, 2007, and an amended version on May 18, 2007; and

WHEREAS, the Commission reviewed the proposed local ordinance higher standard at its meeting on June 20, 2007.

Order to Conditionally Approve City of Dearborn Heights Page 2

IT IS THEREFORE ORDERED that the proposed local ordinance higher standard submitted by the local government on April 26, 2007, as amended by the higher standard submitted on May 11, 2007, be and hereby is APPROVED as amended:

Section 2.02, Dwelling, manufactured, (p. 2-1) is APPROVED.

Section 2.02, Dwelling, mobile home, is APPROVED.

Section 2.02, Main access drive, is APPROVED.

Section 2.02, Mobile home park, May 11, 2007, version, is APPROVED, with the revised (1987 PA 96, as amended) citation.

Section 2.02, Mobile home lot, p. 2-1, through 2.02, Sub collector street, p. 2-2, are APPROVED.

Section 3.105 (A), first paragraph, p. 3-1, is APPROVED, if the phrase, "Article 2.00 of this Ordinance" is deleted and replaced with the phrase, "Section 2.02 of this Ordinance."

Section 3.105 (B) is APPROVED.

Section 5.01 (A) MHP Table: Lot Regulations—21,780 sq. ft., Section 5.05, Maximum building height, p. 5-1, is APPROVED.

Sections 5.05 (A) through (G), pp. 5-2 and 5-3, of the May 11, 2007, revision are APPROVED.

Sections 6.105 (A), p. 6-1, through (B) (2), first paragraph, p. 6-2, are APPROVED.

Section 6.105 (B) (2) (a) is APPROVED, if the phrase, Article 2.00, "Definitions" is deleted and replaced with the words, "Section 2.02 of this Ordinance."

Sections 6.105 (B) (2) (b) and (3) are APPROVED.

Section 6.105 (B) (4), May 11, 2007, version, p. 6-2, is APPROVED.

Sections 6.105 (B) (5) through (12), pp. 6-3 through 6-4, are APPROVED.

Section 6.105 (B) (13), p. 6-4, is APPROVED, if the clause after the word "Standards" is revised to read, "and may require a building permit, pursuant to 1972 PA 230, as amended."

Sections 6.105 (B) (14) through (B) (17) (b), pp. 6-4 and 6-5, are APPROVED.

Order to Conditionally Approve City of Dearborn Heights Page 3

Section 6.105 (B) (17) (c), p. 6-5, is APPROVED, if the phrase, "or other regulations referenced herein" is deleted.

Section 6.105 (B) (18) is APPROVED.

Section 6.105 (B) (19), May 11, 2007, version, is APPROVED, if the 25-foot setback is increased to 50 feet.

WHEREAS, pursuant to Section 7(1) of the Act, MCL 125.2307(1), the Commission finds the five unrevised sections of the proposed local ordinance higher standards submitted by the local government are unreasonable, arbitrary, or not in the public interest:

Section 3.105 (A), p. 3-1, is DENIED because it is not in the public interest, as written. The Commission declines to approve the unknown standards of referenced Article 2.00 in its entirety, the full contents of which have not been provided for review.

Section 6.105 (B) (2) (a), p. 6-2, is DENIED, as written. See the analysis of Section 3.105 (A) for explanation.

Section 6.105 (B) (13), p. 6-4, is DENIED, as written, because it is not in the public interest. Building permits are not required for canopy or awning structures which do not meet the qualifying requirements of Section 105.2 of the Michigan Building Code (2003 edition). Accordingly, the phrase, "shall require a building permit" is an inaccurate higher standard.

Section 6.105 (B) (17) (c), p. 6-5, is DENIED, as written with the clause, "or other regulations referenced herein." Inclusion of this phrase creates an overreaching applicability of *any* provision in city ordinances, including unjustified higher standards, whether relevant or not to manufactured housing community inspections. Such references could prove arbitrary, unreasonable or not in the public interest and are also not in the public interest, because they confuse the reader.

Section 6.105 (B) (19), p. 6-5, May 11, 2007, submission, is DENIED, as written with the 25-foot setback. This standard is 25 feet closer than the 50-foot minimum setback required in Rule R125.1944 (2) between a structure (including a mailbox cluster) and a public road right-of-way. The Commission believes it would not be in the interest of public safety for pedestrian traffic to prevail so close to a public thoroughfare.

Order to Conditionally Approve City of Dearborn Heights

Page 4

IT IS FURTHER ORDERED that, pursuant to R 125.1125(2), Rule 125(2), the

sections of the proposed local ordinance higher standard cited above as denied will be denied

fifteen days from the date of the receipt of this Order. If a written request for hearing is filed

with the Commission by the local government within fifteen days of receipt of this Order, then

the matter shall be set down for hearing to commence without undue delay. If a written request

for hearing is not filed with the Commission by the local government within fifteen days of

receipt of this Order, then the proposed higher standard shall be automatically denied and this

Order shall be a final order in the matter.

ANY COMMUNICATIONS regarding this Order should be addressed to the Michigan

Department of Labor and Economic Growth, Bureau of Construction Codes, Office of Local

Government & Consumer Services, Attention: Kevin G. DeGroat, P.O. Box 30254, Lansing,

Michigan 48909-8203.

MANUFACTURED HOUSING COMMISSION

Ronald A. Blank, Vice-Chairperson

June 20, 2007

PENDING LICENSE APPROVALS JUNE 20, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Cathy Barksdale	Margaret Gail Olsen
3223 Bailey	R.G. Olsen Brokers
Norton Shores, MI 49444	18914 27 th Street
	Gobles, MI 49055
PJG Properties, Inc.	Oak Haven MHC
2095 W. Jagger Road	14401 Ridge Road
Ludington, MI 49431	Plymouth, MI 48170
Paul Gerovac, Operator	Gabriele Krieg, Operator
Modular Pros. Inc.	Wenwood Realty Company, LLC
1400 Irwin Drive	Lakeside Mobile Court
Waterford, MI 48327	4302 Western Road
David L. Marsh, II, Operator	Flint, MI 48506
	Charles D. Hobson, Operator
Larry A. Potts	Osentoski Realty Oso Inc.
A-1 Mobile Home Service	528 N. State Street
71200 Leonard Court	Caro, MI 48723
Edwardsburg, MI 49112	Tavis Osentoski, Operator
Gregory Matheny	Great American Home Sales, Inc.
Matheny's Home Service	5210 Marsh Arbor Trail
1804 W. 18 th Street, Lot 89	Kalamazoo, MI 49004
Sault Ste. Marie, MI 49783	Edward C. Zeman, Operator
Keith L. Hall	
Tiff's Construction Service	
20 76 th Street	
Byron Center, MI 49548	
George Martin	
Martin's Mobilehome Service	
223 Emerald Circle South	
Whitmore Lake, MI 48189	
VanKehrberg Holdings, L.L.C.	
1 st Choice Manufactured Home Solutions	
3237 Mayer Road	
China, MI 48054	

ADDITIONAL PENDING LICENSE APPROVALS JUNE 20, 2007 – MANUFACTURED HOUSING COMMISSION

INSTALLER/SERVICER	RETAILER
Ron's Manufactured Homes Servicer,	The Rada Group, LLC
Installer, LLC	d/b/a North Shore Estates, Mobile Home
551 Grace Street, Lot 42	Park
Farwell, MI 48622	1565 N. M-63
Ronald Molen, Operator	Benton Harbor, MI 49022
	Frank Rada, Operator
Jay A. Beli	
6772 Westwood Drive, #106	
Millington, MI 48746	İ
Nygro and Brink Inc.	
United Maintenance	
473 Douglas Street	
Ypsilanti, MI 48197	·
Gary L. Brink, Operator	
Nygro and Brink Inc.	
United Maintenance	
473 Douglas Street	
Ypsilanti, MI 48197	
Raymond E. Nygro, Operator	
Randy Rodgers	
28906 Briarwood	
Flat Rock, MI 48134	